

2019 HOUSE ENERGY AND NATURAL RESOURCES

HB 1310

2019 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Coteau Room, State Capitol

HB 1310
1/17/2019
30971

- ☐ Subcommittee
☐ Conference Committee

Committee Clerk: Kathleen Davis

Explanation or reason for introduction of bill/resolution:

a bill relating to the possession of a firearm or dangerous weapon at a public gathering

Minutes:

Attachment 1,2,3,4,5,6

Chairman Porter: called the hearing to order.

Rep. Becker: Chap.62.102 Sec.5 deals with public gatherings. The prohibition of guns at public gatherings generally includes schools, churches, sporting and athletic events, and buildings owned or operated by the government. This would add to the current list of exemptions Class 1 concealed permit holders. Gun free zones have good intentions but don't accomplish what the desired outcome is. I know there are people who work in the Capital and would like to legally be able to carry for their own defense.

Rep Heinert: This opens up any public building for a Class 1 license holder?

Rep. Becker: Yes.

Rep Heinert: Any idea how many class 1 holders in ND?

Rep. Becker: I do not.

Chairman Porter: Further questions? support?

Craig Roe, Kindred ND, ND and MN concealed weapons instructor: MN laws are quite different. One of their sections in law forbids the state MN legislature of putting together a public gathering law. You can carry in all public places, all public owned buildings, not federal buildings. They have provisions for state courthouses and state capital. They're not saying you cannot carry, but you have to give notice that you will be carrying in to the capital, suggested by certified mail. Not much problem with MN permit holders carrying in public places. This bill is good. Why are there restrictions when they've taken the course, the test, carry the permit. This bill is a good way to do it.

Andrew Bornemann: presented Attachment 1

Chairman Porter: questions? Further support? Opposition to HB 1310.

13:00

Susan Beechler, Mandan: I don't think more guns are the answer. I don't think the testing is that rigorous. When you introduce guns into a violent situation it's never good.

Amy DeKok, legal counsel for ND School Boards Association: presented [Attachment 2](#).

Chairman Porter: questions? Further opposition?

21:15

Nick Archuleta: President of ND United. On behalf of our 11,500 members I urge a Do Not Pass. Our members have told us consistently and overwhelmingly they do not support but licensed law enforcement serving as SROs to have weapons on school property.

Chairman Porter: Do you want to clarify the statement of licenses law enforcement officers? Currently a licenses private security guard can also carry a weapon on school property.

Archuleta: the question we posed to our members in a survey was licensed law enforcement officer. They love our SROs and feel they are positive assets. The don't favor are people who haven't undergone a rigorous weapons training.

Chairman Porter: What is the total number of public and private schools in ND and what is the total number of schools that have an SRO on staff and duty for the entire school day and extracurricular activities?

Archuleta: I'm not certain of the total number of schools. I know that most of the large school districts do employ SROs primarily in the middle and high school levels.

Chairman Porter: Could you find that information for me? Total number of schools, total number of FT SROs, what their working day and hour consists of. If it's during school hours, extracurricular activities so I have a general understanding of what they're doing.

Archuleta: I will get you that information.

Ruby: Could we get that survey?

Archuleta: I can get the parts of the survey relevant to this bill.

Katie Fitzsimmons, Director of Student Affairs, ND University System: [Attachment 3](#)

32:30 Russ Ziegler: Presented [Attachment 4](#).

Rep Heinert: Is it basically for schools or all public buildings?

Ziegler: Mostly for schools, some comments for public areas.

Christopher Dodson, ND Catholic Conference: presented [Attachment 5](#).

Chairman Porter: questions? Opposition? Closed the hearing.

[Attachment 6:](#) Cheryl Biller submitted testimony but did not testify.

2019 HOUSE SUBCOMMITTEE MINUTES

Energy and Natural Resources Subcommittee

HB 1310 Subcommittee 32368
Committee Clerk Kathleen Davis

Meeting location: Coteau A Room, State Capitol

Date of meeting: 2/7/2019 10:49 AM

Members present: Chairman Heinert, Rep. Lefor, Rep. Eidson, Rep. Porter

Others present: Casey Miller, Amy Copas, Chad Oban, Alexis Baxley, Bob Marthaller, Alex Kelsch

Topics discussed:

1. Heinert passed out an email he'd received from Mr. Woock as Attachments 1 and 2 making recommendations to changing this bill into the development of a Class 1a firearms license
 - Would have to be Class 1 license holder
 - Fulfill obligations through a certified trainer consistent with that identified by ND Peace Officers Standards and Training Board
 - Renew every 12 months successfully with no more than 8 hours training
2. The Peace Officer Standard is the same standard our private security board uses to allow a private security officer the ability to carry a weapon.
 - Example, the bill that exempts retired judges- that grouping of individuals maybe should be brought in to this training level which standardizes training for individuals who are unrestricted where they conceal and carry.
3. Taking all the exemptions in current statute and identifying each one as having to make their own decision like we treat the churches in their exemption where they'd have to declare whether they would or would not allow the carrying of a handgun in their facilities, including schools, public places, government entities.
 - We're trying to find a solution for each one decide is going to be a case by case basis
 - Someone is going to have to be responsible to oversee this program, to make sure we're vetting the training and trainer, a private entity, not law enforcement
4. Schools may still have an issue with this even if we allow someone who has been through all the training so we need to think about this more, referring to the 1A.
 - If this is allowed, we need to tell ND citizens we're requiring a significant amount of preparatory work and training and renewal to carry.

Casey Miller, Chief Investigator for the BCI

- Around 13,184 Class 1 in state permit holders, 159 out of state

Amy Copas, ND Council of Education Leaders

- The training is a step in the right direction.
- We would struggle with removing schools from being a gun free zone in any way, shape, form. Even with the training and qualifications, we would respectfully ask that schools maintain that status of gun free zones.

Motion and vote: none

Time of Adjournment: 11:05 AM

Explanation or reason for introduction of bill/resolution:

HB 1310 a bill relating to the possession of a firearm or dangerous weapon at a public gathering

2019 HOUSE SUBCOMMITTEE MINUTES

Energy and Natural Resources Subcommittee

HB 32753 HB 1310
Committee Clerk, Kathleen Davis

Meeting location: Coteau A Room, State Capitol

Date of meeting: 2/14/2019 9:51 AM

Members present: Chairman Heinert, Rep. Lefor, Rep. Eidson, Rep. Porter

Others present:

Topics discussed:

- Rep. Ruby presented Amendment 19.0290.01001 as Attachment 1 for discussion.

Motion and vote:

Rep. Ruby moved to recommend the amendment .01001 to the committee.
Motion died for lack of a second.

Rep. Lefor moved to recommend a Do Not Pass to the committee.

Rep. Eidson seconded.

Roll call vote 3 yes 1 no 0 absent. Motion carried.

Time of Adjournment 9:54

Explanation or reason for introduction of bill/resolution:

HB 1160 a bill relating to the sale of firearms

2019 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Coteau Room, State Capitol

HB 1310
2/14/2019
32767

- ☐ Subcommittee
☐ Conference Committee

Committee Clerk: Kathleen Davis

Explanation or reason for introduction of bill/resolution:

a bill relating to the possession of a firearm or dangerous weapon at a public gathering

Minutes:

Attachment 1

Chairman Porter: opened the hearing on HB 1310 and opened discussion on Amendment 19.0290.01001 (Attachment 1).

Rep Heinert: The subcommittee recommends no amendments and a Do Not Pass, and so move a Do Not Pass on HB 1310.

Rep. Lefor: Second.

Chairman Porter: Discussion on HB 1310? We have a motion and a second for a Do Not Pass on HB 1310. Roll call vote: 13 yes 1 no 0 absent. Rep. Lefor is carrier.

Date: 2-14-19
Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1310**

House Energy and 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 Lefor Seconded By Eidson

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. Zubke		
Rep. Heinert	✓				
Rep. Keiser			Rep. Mitskog		
			Rep. Eidson	✓	

Total (Yes) 3 No 1

Absent 0

Floor Assignment _____

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

Motion Carried

Date: 2-14-19
Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1310**

House Energy and 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 Rep. Heinert Seconded By Rep Lefor

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. Zubke	✓	
Rep. Heinert	✓				
Rep. Keiser	✓		Rep. Mitskog	✓	
			Rep. Eidson	✓	

Total (Yes) 13 No 1

Absent 0

Floor Assignment Rep Lefor

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

REPORT OF STANDING COMMITTEE

HB 1310: Energy and Natural Resources Committee (Rep. Porter, Chairman)
recommends **DO NOT PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING).
HB 1310 was placed on the Eleventh order on the calendar.

2019 TESTIMONY

HB 1310

Mr. Chairman and members of the Committee,

My name is Andrew Bornemann, and I would like to speak to you today in favor of HB1310.

I am in favor of this bill for many reasons, of which I would like to share with you just a few.

First, as a husband and father, I feel the God-given responsibility, and the necessity of protecting and defending my growing family. It is appalling to me in this capacity, that even though I have taken the time and effort to procure a Class 1 Concealed Weapons License, I am still barred from having a concealed weapon at my disposal in many of the places one may wish to take a family. Why should I not be able to take my family to a concert, a ball game, to the library, or even to church, without having to wonder: if push comes to shove, would I be able to defend my family from somebody intent on doing harm?

Second, as a citizen of our wonderful United States, I am dismayed that our Constitutional rights have been so disregarded as that an otherwise law abiding citizen might be thrown in jail and have his arms confiscated simply for carrying an unloaded and concealed handgun into a library for example. This certainly seems to classify as an "Infringement".

Third, I am strongly in favor of reducing or totally eliminating "Gun Free Zones". Statistics have shown that as many as 97%(*) of mass-shooting incidents happen in places where law abiding citizens are prohibited from possessing weapons. If we can be sure of one thing, we can be sure that *Criminals don't follow the law*. If somebody is intent on causing harm to other people, they will find a way to do so, regardless of how many laws they may break in the mean time.

/

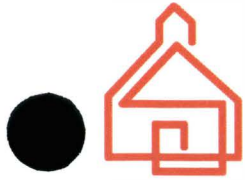
The only deterrent to an evil man with a gun, is a good man with a gun. If this were not so, why do police carry guns? I submit to you that one of the main deterrents to a mass-shooting incident ever happening, is to allow law-abiding and peace loving citizens the ability to defend themselves against such an attacker no matter where they might be, and thus keep those intent on evil at bay.

Fourth, as the District 28 Republicans' Chairman, I am endorsing this bill on behalf of many in our district who have expressed support for this legislation. In fact, I had drafted and was getting ready to have nearly identical legislation submitted through our congressman, but found this bill instead. So for everybody's sake, I opted to support this legislation, and not waste your time with any more duplicate bills.

Fifth, as a proud Patriot, I am reminded of the great price our forefathers paid for the freedoms we so enjoy. I am grateful to them, for they fought to secure thier right to keep and bear arms, and to pass that on to their posterity. We are indebted to their diligence in securing our freedoms through the Constitution, and that by them we have a right to be involved in our government, and to do what we are doing today.

I respectfully ask for a "Do Pass" recommendation from this committee, and would like to mention that I am also in favor of House Bills 1148, 1308, 1325, 1309, and 1323, heard today, for similar reasons. However I will not take up your valuable time by standing and repeating myself.

With that, I would stand for any questions the Committee may have.



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#2
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HB 1310

Testimony of Amy L. DeKok

House Energy and Natural Resources Committee

January 17, 2019

Chairman Porter and members of the House Energy and Natural Resources Committee, my name is Amy De Kok. I am in-house Legal Counsel for the North Dakota School Boards Association. NDSBA represents all operating North Dakota school districts and their boards. I am here today testifying in strong opposition to HB 1310.

School safety, in many forms, is an increasingly urgent need for school districts. Our schools serve the most vulnerable population of North Dakota residents and recognize the incredible responsibility they have to create a safe learning environment for their students. To this end, we believe that every district is best suited to identify the tools and strategies that will be most effective for their staff, students and communities. NDSBA opposes HB 1325 because we believe, if passed, it will significantly restrict our member districts' ability to keep their students safe from potential harm.

Similar to HB 1325 heard earlier by this Committee, HB 1310 seeks to amend NDCC 62.1-02-05(2) to add another group of individuals to the list of persons who are not subject to criminal liability for possession of a firearm or dangerous weapon at a public gathering. The bill seeks to add to the list "an individual possessing a valid class 1 firearm and dangerous weapon license under section 62.1-04-03." Under the law as it stands now, public schools in North Dakota may choose to prohibit any individual from possessing a firearm or dangerous weapon on school property, this includes those individuals excepted from criminal liability by section 62.1-02-05(2). However, it is very important to consider HB 1310 along with SB 2034 that was passed by the Senate last week.

SB 2034, among other things, amends section 62.1-02-13 of the Century Code, which restricts a private or public employer from prohibiting any customer, employee, or invitee from possessing a legally owned firearm in a motor vehicle in a parking lot if the customer, employee, or invitee is lawfully in the area. That section also restricts a public or private employer from inquiring regarding the presence of a firearm inside or locked in a motor vehicle or from taking any action against a customer, employee or invitee based upon verbal or written statements concerning possession of a firearm stored inside a vehicle

in the employer's parking lot. Further, under this section, a private or public employer cannot condition employment upon any agreement by an employee that prohibits an employee from keeping a legal firearm locked inside or locked to a private motor vehicle in a parking lot. Finally, this section restricts a private or public employer from preventing any customer, employee, or invitee from entering the parking lot or the employer's place of business because the customer's, employee's, or invitee's vehicle contains a legal firearm. Currently, these prohibitions on private and public employers do not apply to any public or nonpublic school property. However, SB 2034 amended this section to limit a school's ability to restrict the possession of a firearm which is carried by those individual's listed in section 62.1-02-05(2). Again, section 62.1-02-05(2) sets forth the list of individuals who are not subject to criminal liability for possession of a firearm in a public gathering. HB 1310 seeks to drastically expand the list of such individuals to cover any individual who has a valid conceal and carry license.

If HB 1310 is passed, our schools ability to keep a firearm off of school property will be significantly reduced. As indicated at the outset of my testimony, each school district, with input from its employees and communities, is the best position to determine the measures necessary to create a safe and healthy learning environment free from the threat of gun violence. If HB 1310 and SB 2034 becomes law, a public school could not restrict any individual (including a patron, student or staff member) that has a conceal and carry license from bringing a firearm onto school property, or restrict that individual from coming inside the school when that individual has a firearm in their vehicle, or restrict its employees and students from having a firearm in their vehicle while on school property. This could lead to a significant increase of firearms on school property, which increases the likelihood that someone may use a firearm to inflict harm on students and school staff. Also, on its own, HB 1310 would dilute the deterrent effect the prospect of potential criminal liability has in keeping firearms and dangerous weapons off of school property.

For these reasons, NDSBA strongly urges a do not pass recommendation from this Committee on HB 1310. I'd be happy to answer any questions. Thank you.

HB 1310

House Energy and Natural Resources

January 17, 2019

Katie Fitzsimmons, Director of Student Affairs

701-328-4109 | katie.fitzsimmons@ndus.edu

Chair Porter and Committee Members: my name is Katie Fitzsimmons and I serve as the Director of Student Affairs for the North Dakota University System. I'm here today, representing the System Office but not the State Board of Higher Education, in opposition to HB 1310. This bill would allow an individual with a valid class 1 firearm and dangerous weapon license to carry said weapon at a public gathering, which is defined as an athletic or sporting event, a school, a church, and a publicly owned or operated building. I would like to focus on three issues in my testimony today: the resiliency of students, the quest for happiness, and how those relate to suicide.

I work with our eleven state colleges and universities to promote and ensure student success outside of the classroom. My portfolio addresses issues pertaining to student affairs such as sexual assault and harassment as they fall under Title IX, substance abuse and prevention, student health insurance, and, at the heart of nearly everything I discuss: student mental health. Speaking in broad terms, we are seeing that students and young adults, not only in North Dakota but nationwide, suffer from a lack of coping skills and resiliency that has staggering effects on their ability to function and perform as students, function as adults, and create their own happiness. Stress is higher, demands are tougher, competition is stiffer, and true connection is less and less available. In the Fall of 2017, over 1100 Yale students (the largest section ever in Yale history) enrolled in a class titled "Psychology and the Good Life" which aimed to teach students how to live a happy life. Students everywhere are truly struggling to define, create, and perpetuate their own happiness in the wake of feeling stressed and disconnected, so much so, that some will sign up for class to learn how to accomplish it.

During a mental health task force meeting in November 2018, three of the NDUS campuses informally reported fielding at least one case of suicide ideation a week from students. That was a minimum of 36 suicidal students on only three campuses at that point in the semester. By comparison, those campuses usually report about 1-2 suicidal concerns over the course of an entire academic year. When we discussed the root of these suicidal thoughts, the counselors reported that the threats and ideations were real, but they stemmed from students' inability to cope with day-to-day life. This has everything to do with resiliency, creating your own happiness, and feeling connected to your community.

By election day 2018, the robust staff at NDSU's student counseling center was so overloaded with appointment requests, it had to restrict students that did not need intensive intervention to what is called "solution-focused" sessions; which only guaranteed one meeting with a counselor and one follow-up appointment. In addition, the off-campus counseling center to which NDSU refers students was full and that site had to refer students to another clinic.

For one last glimpse into the mental health of our students, here are statistics from UND's 2018 American College Health Association/National College Health Assessment (ACHA/NCHA). In the past 12 months:

- 43.7% felt things were hopeless
- 86.6% felt overwhelmed by all they had to do
- 82.1% felt exhausted (but not from physical activity)
- 59.3% felt lonely
- 61.1% felt very sad
- 31.3% felt so depressed that it was difficult to function
- 56.9% felt overwhelming anxiety
- 35.1% felt overwhelming anger
- 10.4% seriously considered suicide
- 1.6% attempted suicide
- 7.3% intentionally cut, burned, bruised, or otherwise injured themselves
- 20.1% diagnosed with anxiety; 14.9% diagnosed with depression; 8.9% experienced panic attacks
- When asked how they would rate the overall level of stress experienced in the last year, 41.6% said they had "more than average stress"; 8.7% reported having tremendous stress

Yesterday I attended the North Dakota Suicide Coalition Statewide Meeting along with over 100 stakeholders from across state agencies, private entities, the general public, and the military. North Dakota's suicide rate increased 57% between 1999-2016; the greatest increase in the country. Suicide completion is all about access. Once someone decides to attempt suicide, they will do so within ten minutes. Over 56% of suicides in North Dakota were made possible with the use of a firearm. For all completed suicides, there are 25 attempts. As I mentioned, yesterday's meeting had a strong presence from military groups including ND CARES, Adjutant General Alan Dohrmann, and representatives from the VA. The Veterans Crisis Line handed out gun locks to all attendees because of how prevalent gun-inflicted injuries are. In short: if we increase access to deadly weapons on our campuses, we will experience an increase in suicide attempts and completions on our campuses.

I understand the picture I am painting is one of vast mental instability, but that is not the full story and not all is doom and gloom. Regardless, I am certain it could be argued that this testimony might have the opposite of my intended intent. That this would be reason enough for more students to

carry weapons to protect themselves from the possible rash action of an unbalanced student or community member that might open fire during a hockey game or lunch hour. And you would not be wrong. There is no way to predict what may or may not happen or where or when such an unspeakable act might occur, but given our experiences with students and self-harm, I believe the real danger with increased access to weapons in a school setting is increased suicide attempts and increased violence. I'm less worried that a suicidal student will bring their own weapon to campus and more concerned that they will have knowledge and access to another student's weapon. Add in unlocked residence hall room doors, alcohol, underlying stress, and an event a student cannot process appropriately due to a lack of resiliency- and we have another preventable death on a campus.

I do not know the intentions of the sponsors of this bill, but I would like to believe that they all hope to make public gatherings safer. The idea that if we put more guns into the hands of the "good guys" they will "take out the bad guys." But the problem I have with that is that even the "good guys" experience sadness, depression, and suicide ideation. Unfortunately for all of us, there is no perfect way to know what deaths were prevented when you enroll either route, so I urge you to consider the real risk of suicide in our communities.

Currently, State Board Policy prohibits firearms and dangerous weapons from campus buildings. The Board has not yet weighed in on this bill or any others pertaining to firearms, but the upcoming Board meetings will likely include discussion of these issues.

I respectfully request a do not pass on HB 1310, or for the committee to consider an amendment to carve out the campuses and/or the State Board of Higher Education to allow them/it to make their own policies regarding firearm possession. I thank you for your time and am available to answer your questions to the best of my ability. Thank you.



HB 1325 and HB 1310 – Testimony in Opposition

Good afternoon House Energy & Natural Resources Committee, I stand before you to testify in opposition to HB 1325 on behalf of the North Dakota Council of Educational Leaders. The North Dakota Council of Educational Leaders is the organization that serves our school Superintendents, Principals, CTE Directors, Technology Directors, AD's, County Superintendents, Business Officials and truly every school leader with the exception of teachers and school board members.

House Bill 1325 would allow individuals to carry a firearm or weapon concealed or not at schools, school sporting events (i.e. basketball games, football games, volleyball games, wrestling matches, etc.). This bill also allows individuals to carry a firearm or weapon to school board meetings, teacher negotiations, non-renewal hearings, bond referendum meetings, expulsion and suspension hearings, etc. All are places where emotions are high, and tempers could be flaring. I believe this would also allow guns to be brought in this venue, in these committee rooms, the legislative chambers, court rooms, county and city offices, and any other publicly owned or operated building. This would also include the Bismarck Civic Center that hosts sporting events, concerts, and the like.

I will focus my testimony on the public schools for this discussion. One large concern with this bill is that it would allow anyone who is able to carry concealed under chapter 62.1-04, that would include students. 62.1-04-02 subsection 2 states that:

2. An individual who is not otherwise precluded from possessing a class 2 firearm and dangerous weapon license under this chapter and who has possessed for at least one year a valid driver's license or nondriver identification card issued by the department of transportation may carry a firearm concealed under this chapter.



That is the constitutional carry law that was passed last session. If we then look at the Class 2 firearm and dangerous weapon license it states that the applicant is at least 18 years of age.

You now have a situation where an 18 year old student or any other adult can carry a concealed firearm or dangerous weapon during school and at school sponsored activities. This is a very large concern for the schools. In all the school safety discussions the talk has been about how to keep our students safe and that guns in the hands of untrained unqualified individuals puts our students at immediate risk. This bill would also include the right for staff to carry in the school building and in their classrooms. With the possibility of teachers, administrators, and students all being able to carry I would be afraid to know how many weapons will be left in purses, bags, desks, lockers, etc. unattended. The board would not be the one to dictate who would have authority. The authority would be given to any and all who qualify under 62.1-04.

We do active shooter trainings in our schools and have continual conversations and have invested heavily on the work of how to stop the individual who brings a gun to school? This bill would do the opposite, it would allow more guns in school...potentially in the hands of individuals that may not have the best interest of all students in mind.

We are having a very hard time trying to figure out *how* this bill is going to protect all the individuals in the school. Educational leaders are very concerned about this section of the bill. Was it added without fully understanding the potential impact of schools? Was it added with full knowledge of this implication? If so, has there been a conversation with school leaders or the School Safety Partners Coalition which includes NDDPI, NDCEL, ND Small Organized Schools, Department of Health, The Governor's office, ND School Resource Officer Organization, ND United, Association of Counties, Sherriff's Association, and others?

We'd like to assume the best and that the school impact was unintentional – if that is the case, it should be easy to amend. If, however it was intentional, then folks dedicated to the safety and wellbeing of kids can't help but to ask if this bill puts the rights of individuals to carry



guns over the fundamental right of school safety. We are hearing more and more examples of students with behavior issues and mental health problems, schools are dealing with students that have extreme and difficult needs and this bill would throw firearms and dangerous weapons into the mix. Who will be responsible when the weapon is utilized to harm another? Is it the person who brought the weapon? Is it the person who used the weapon? Is it the school or district? Maybe it is the state for allowing it?

How does this bill address the behavioral and mental health of the students? How does this bill address school safety needs? Remember, the individuals carrying the firearms and dangerous weapons may only have the constitutional carry rights. They have not had background checks, proficiency training, gun handling training, no test, no classroom instruction, etc. Don't get us wrong, even if these individuals had the Class 1 or Class 2 certificates, such as in HB 1310, we would still be opposing this bill because it does nothing to address any of the issues currently faced by schools.

Another consequence of this bill is that it takes the decision making power away from the elected school board. This bill would allow individuals to carry without the knowledge or consent of the school board.

If we are talking about the prevention of gun violence in schools, I like the public health analogy by Ron Avi Astor from the University of Southern California:

A public health approach to disease means, instead of waiting for people to be rushed to emergency rooms with heart attacks or the flu, you go into the community: with vaccinations, screenings, fruits and vegetables, walking trails and exercise coaches. You screen and regulate environmental hazards, like a nearby polluting factory. You keep watch on reported cases of illness, to stop a new outbreak in its tracks.

A public health approach to school shootings means, instead of waiting for people to, again, be rushed into emergency rooms, you go into the community with preventive



resources. You do your best to lower the background levels of bullying and discrimination. You track the data and perform what is called "threat assessments" on potential risks.

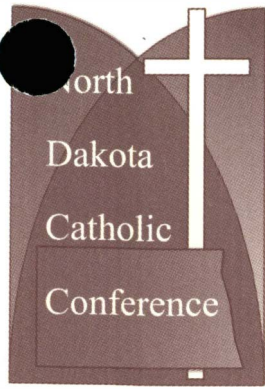
(quoted from - NPR ED - Here's how to prevent the next school shooting, experts say:
<https://www.npr.org/sections/ed/2018/03/07/590877717/experts-say-here-s-how-to-prevent-the-next-school-shooting>)

In that article they also state that there is a large amount of research on what makes schools safer and the majority of it does not point to more guns.

With my years of military service and years of experience working in public schools I could give you scenario after scenario of the what if's. I will not do that however, I would like to say that if this bill were to pass I would not want to be the basketball official with a gym full of individuals carrying, or the administrator who is non-renewing a teacher who is carrying a weapon, or the school counselor who has to investigate the bullying acquisitions about a senior who is carrying a concealed weapon.

The other issue that this bring up is the blurring of the line between regular school discipline and criminal activities. If you have a student for example who is carrying a weapon that is accused of bullying or harassment, since that student is carrying a firearm or dangerous weapon would that be moved up to a criminal activity with larger consequences?

Because of these issues we have to respectfully request a DO NOT pass on HB 1325 and HB 1310.



*Representing the Diocese of
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5
HB1310
1-17-19

To: House Energy and Natural Resources Committee
From: Christopher T. Dodson, Executive Director
Subject: HB 1310 - Possession of a Firearm at a Church
Date: January 17, 2019

The North Dakota Catholic Conference opposes House Bill 1310.

Existing law allows an individual to have a firearm in a place of worship if the individual meets certain requirements and has permission from the church or place of worship. It is a workable law that allows firearms but does not negate the religious organization's fundamental right to define their own sacred spaces.

House Bill 1310 erases that balance and allows the individual with a Class 1 license to possess a firearm within the church space without the church's permission. It destroys the carefully designed compromise and tosses aside the religious and property rights of the church.

Essential to the concept of religious liberty is the recognition that churches have a fundamental right to use and care for their properties in a manner that reflects and furthers their own religious missions. If they believe that guns in churches do not reflect that mission, they have a right to prohibit them. Indeed, our country has many faith traditions, especially the so-called "peace churches," that disavow all weapons, even for defensive purposes. Those churches might find offensive the very notion of a weapon within their worship space. They should have that right.

The great thing about religious freedom is that it means that we can practice our religious beliefs, including the acts of creating, designing, and exercising autonomy over our religious spaces. Some people have no problem with firearms in churches. To others the very idea is blasphemous. Many more probably fall somewhere in between. The existing law strikes a balance that respects the varying religious views on the matter.

We urge this committee to maintain the existing law and give HB 1310 a **Do Not Pass** recommendation.

My name is Cheryl Biller, I live in Fargo, and I'm a volunteer with the North Dakota chapter of Moms Demand Action for Gun Sense in America. I have not experienced gun violence directly, but my nephew did: in 2017, his friend was killed with a gun in the school they both attended. That event made the issue of gun violence in our communities deeply personal to me and I believe it is time we addressed this epidemic head on. I believe we all need to be part of the solution.

The Energy and Natural Resources Committee is holding hearings today on several bills that would weaken the gun laws in our state. The bills being heard today include two dangerous proposals, HB 1310 and HB 1325. What's dangerous about them is an apparently minor change, in fact just one line. But that one line would allow anyone not explicitly prohibited from possessing a firearm to carry hidden, loaded handguns in sensitive areas across the state -- places like elementary, middle and high schools, college campuses, bars, and sports arenas.

There is no good reason to weaken North Dakota's public safety laws - and there are clear reasons not to. There are a lot of us who oppose these extreme proposals because we know what the risks are. Guns don't belong in bars, or schools, or on college campuses -- that's just common sense.

The legislature should not override the public safety judgment of our colleges and universities, especially given the risk factors common to campus life - like heavy alcohol and drug use, and significant rates of depression and suicide. Across the country, campus police chiefs, college administrators and faculty, and college students all overwhelmingly oppose guns on college campuses.

Furthermore, we know that arming civilians is not an effective way to stop active shooters. Research casts significant doubt on the idea that civilians can shoot as well as trained police officers in active shooter situations. And beyond that, armed civilians have repeatedly put law enforcement in danger, delayed law enforcement responses, and posed a risk to innocent bystanders during active shooter crises. Following the shooting of 12 police officers at a demonstration where dozens of open carry activists were present, then-Dallas police chief David Brown said, *"We don't know who the good guy is versus the bad guy when everyone starts shooting."* When a man shot and killed three people at a Walmart in Thornton, Colorado, law enforcement noted that shoppers drawing weapons in self-defense "absolutely" slowed the process of identifying the suspect.

Why would lawmakers seek to hinder law enforcement's ability to perform their duties? Or put our children in a position where their chances of being injured or killed is increased by the presence of civilians with guns in their schools and at school sporting

events? As it is, firearms are the second leading cause of death for American children and teens. Every year, nearly 2,900 children and teens are shot and killed every year and nearly 14,500 more are shot and injured - that's an average of 48 American children and teens shot every day.

A national guide published by the federal government's chief legal, law enforcement, public health, education, and emergency management agencies confirms that allowing civilians to carry guns in schools is not a sound security practice. North Dakota doesn't need to increase the risk of death and injury to our children and communities by passing these dangerous bills.

These bills pose a serious threat to our public safety and would endanger North Dakotans across the state. I ask you today to defeat HB 1310 and HB 1325.

Sincerely yours,

Cheryl Biller

Volunteer Chapter Leader with Moms Demand Action ND

The greatest difficulty a school board should face should be whether or not to participate in the armed first responder program. Once the decision is made, the program should be clear and straight forward. The program of instruction should be standardized and uniform across the state using police academy training, curriculum and standards as the driving force. The program must also incorporate active face to face training and dialogue between local law enforcement and program participants. Finally, we must provide our expert organization, BCI, with enough flexibility to design and implement the program in an effective and efficient manner.

Section 1. Amendment. Subsection 2 of section 62.1-04-03 of the North Dakota Century Code.

2. The attorney general shall offer class 1 firearm, ~~and class 2 firearm~~ and class 1-A firearm and dangerous weapon licenses to carry a firearm or dangerous weapon concealed under the following requirements:

a. An applicant for a class 1 firearm license shall successfully participate in a classroom instruction that sets forth weapon safety rules and the deadly force law of North Dakota, complete an open book test based upon a manual, demonstrate familiarity with a firearm, and complete an actual shooting or certified proficiency exercise. Evidence of familiarity with a firearm to be concealed may be satisfied by one of the following:

(1) Certification of familiarity with a firearm by an individual who has been certified by the attorney general, which may include a law enforcement officer, military or civilian firearms instructor, or hunter safety instructor;

(2) Evidence of equivalent experience with a firearm through participation in an organized shooting competition, law enforcement, or military service;

(3) Possession of a license from another state to carry a firearm, concealed or otherwise, which is granted by that state upon completion of a course described in paragraphs 1 and 2; or

(4) Evidence that the applicant, during military service, was found to be qualified to operate a firearm.

b. The "A" designation on the class 1 license, class 1-A, is an enhanced license in addition to the class 1 requirements above. An applicant for a class 1-A firearm and dangerous weapon license shall:

(1) Maintain a class 1 license as described in paragraph a above.

(2) Successfully participate in active killer response training, classroom instruction, and weapons qualification as prescribed by the bureau of criminal investigation. This training, instruction and qualification shall be no less than twenty

hours and not more than forty hours in duration and shall be based on current police academy training, curriculum, and standards pertaining to active killer response.

(3) The "A" license designation expires at the end of and must be renewed every 12 months. The licensee must successfully complete the renewal process established by the bureau of criminal investigation. The renewal program of instruction shall focus on law enforcement lessons learned from recent events, changes in police academy instruction and shall be no more than 8 hours in duration. A licensee may attend the renewal program of instruction more than once if necessary.

(4) The licensee must maintain the same level of firearms proficiency as is required by the peace officer standards and training board for law enforcement officers by qualifying with the local law enforcement organization with jurisdiction over the school participating in the class 1-A permit. Weapons qualification must occur with local law enforcement officers using the same standards. The local law enforcement agency shall issue a certificate of compliance under this section to an individual who is proficient. A paper or electronic copy of the peace officer standards and training board sidearm qualification form endorsed by the administering officer is proof of compliance under this subdivision.

(5) Be approved by the public or private school board or governing body or by an organization leader granted authority by delegated powers.

(6) Maintain strict adherence to all rules and regulations established by the bureau of criminal investigation concerning firearm safety, security, and concealment while exercising rights under this subsection.

c. An applicant for a class 2 firearm and dangerous weapon license is required to successfully complete the open book test offered for the class 1 firearm license. Page No. 2

d. e. A North Dakota resident who has a valid class 1 firearm license also may carry a class 2 dangerous weapon without any further testing required. Class 1 and class 2 permits are equally valid in this state.

e. d. Additional testing is not required to renew a class 2 firearm and dangerous weapon license. A class 1 firearm license may be renewed upon successful completion of the class 1 firearm requirements within thirty days before submission of the application for renewal.

f. e. An individual who has a valid class 2 firearm license may apply to upgrade to a class 1 firearm license within five years from the date the class 2 firearm license was issued and upon successful completion of the requirements under this chapter. An individual

who has a valid class 1 firearm license may request to convert the license to a class 2 firearm license before the expiration of the class 1 firearm license.

3. The director of the bureau of criminal investigation shall send by mail to a holder of a license a notice of the procedures for renewal of the license issued under this section. The director shall give the notice at least one hundred fifty days but not more than one hundred eighty days before the expiration of the license. The director shall give notice at least 60 days but not more than 90 days before the expiration of the "A" designation of a class 1-A license.

4. The bureau of criminal investigation is required to process the application and make a determination within sixty days of receipt of the properly completed application.

5. The fee for a concealed weapons license must be credited to the attorney general's operating fund. All fees must be paid before the license application may be processed by the director of the bureau of criminal investigation. The attorney general shall list the fees associated with the license, including the costs of the fingerprint-based federal criminal history record check, in the attorney general's administrative rules.

6. The director of the bureau of criminal investigation shall prescribe the form of the application and license, which must include the name, address, description, a photograph, and the signature of the individual. The application form must require sufficient information to properly conduct a criminal history record check and be accompanied by:

a. A photocopy of a valid driver's license or identification card issued by this state which establishes personal identification through photographic means and shows the applicant's name associated with a valid residential street address in this state or a valid state-issued driver's license from the applicant's state of residence which establishes personal identification through photographic means and shows the applicant's name associated with a valid residential street address and a valid concealed weapons license from the applicant's state of residence, which has reciprocity with this state under section 62.1-04-03.1; and

b. Two sets of classifiable fingerprints. The two sets of classifiable fingerprints are not required for a renewal of a concealed weapons license. The license is valid for five years. The original license must be delivered to the licensee and an electronic copy must be preserved for six years by the director. Access to license information must be available to law enforcement through electronic means for official law enforcement purposes. The applicant or licenseholder shall notify the director of the bureau of criminal investigation of any change of address or any other material fact which would affect the restrictions on or the need for the license.

7. The director of the bureau of criminal investigation may deny an application or revoke or cancel a license after it has been granted for any material misstatement by an applicant in an application for the license or any violation of this title. The director of the bureau of criminal

investigation shall disclose to the applicant the specific reason for denial or revocation of the license.

8. The applicant may appeal a denial or revocation of this license to the district court of Burleigh County.

9. Information collected from an applicant under this section is confidential information. However, the information may be disclosed:

- a. To a governmental agency or court for a law enforcement purpose, including the investigation, prosecution, or punishment of a violation of law.
- b. To a court to aid in a decision concerning sentence, probation, or release pending trial or appeal.
- c. Pursuant to a court order or a judicial, legislative, or administrative agency subpoena issued in this state.

10. The attorney general may adopt any rules necessary to implement this title.

11. No public or private school is required to participate in a class 1-A permit.

12. The public or private school board or governing body participating in a class 1-A permit shall;

a. Maintain confidentiality of all the information collected from the applicant or participant under this section.

b. Verify authenticity and expiration of the class 1-A permit and maintain a paper or electronic copy of the license and demographic information of the participant as prescribed by the bureau criminal investigation.

c. Notify the local law enforcement organization of the person participating in a class 1-A permit.

d. Establish, coordinate, and facilitate a walk-through scenario exercise between the local law enforcement organization and class 1-A permit holder at least once every 12 months. This exercise shall focus on a coordinated response to an active killer event.

Section 2. Amendment. Subsection 2 of section 62.1-02-05 of the North Dakota Century Code.

2. This section does not apply to:

a. An individual possessing a valid class 1-A permit.

**CHAPTER 62.1-04
CONCEALED WEAPONS**

HB 1310
2.7.19
Attachment 2

62.1-04-01. Definition of concealed.

A firearm or dangerous weapon is concealed if it is carried in such a manner as to not be discernible by the ordinary observation of a passerby. There is no requirement that there be absolute invisibility of the firearm or dangerous weapon, merely that it not be ordinarily discernible. A firearm or dangerous weapon is considered concealed if it is not secured, and is worn under clothing or carried in a bundle that is held or carried by the individual, or transported in a vehicle under the individual's control or direction and available to the individual, including beneath the seat or in a glove compartment. A firearm or dangerous weapon is not considered concealed if it is:

1. Carried in a belt holster which is wholly or substantially visible or carried in a case designed for carrying a firearm or dangerous weapon and which is wholly or substantially visible;
2. Locked in a closed trunk or luggage compartment of a motor vehicle;
3. Carried in the field while lawfully engaged in hunting, trapping, or target shooting, whether visible or not;
4. Carried by any person permitted by law to possess a handgun unloaded and in a secure wrapper from the place of purchase to that person's home or place of business, or to a place of repair, or back from those locations; or
5. A bow and arrow, rifle, shotgun, unloaded handgun, or a weapon that will expel, or is readily capable of expelling, a projectile by the action of a spring, compressed air, or compressed gas including any such weapon commonly referred to as a BB gun, air rifle, or CO₂ gun, while carried in a motor vehicle.

62.1-04-02. Carrying concealed firearms or dangerous weapons.

1. An individual, other than a law enforcement officer, may not carry a firearm or dangerous weapon concealed unless the individual is licensed to do so or exempted under this chapter.
2. An individual who is not otherwise precluded from possessing a class 2 firearm and dangerous weapon license under this chapter and who has possessed for at least one year a valid driver's license or nondriver identification card issued by the department of transportation may carry a firearm concealed under this chapter.

62.1-04-03. License to carry a firearm or dangerous weapon concealed - Class 1 firearm license and class 2 firearm and dangerous weapon license.

1. The director of the bureau of criminal investigation shall issue a license to carry a firearm or dangerous weapon concealed upon review of an application submitted to the director if the following criteria are met:
 - a. The applicant is at least twenty-one years of age for a class 1 firearm license or at least eighteen years of age for a class 2 firearm and dangerous weapon license;
 - b. The applicant can demonstrate that the applicant is a resident of this state by providing a copy of a valid driver's license or state-issued identification card from this state that establishes personal identification through photographic means and shows the applicant's name associated with a valid residential street address in this state or the applicant possesses a valid driver's license from the applicant's state of residence that establishes personal identification through photographic means and shows the applicant's name associated with a valid residential street address and a valid concealed weapons license from the applicant's state of residence, which state has reciprocity with this state under section 62.1-04-03.1;
 - c. The applicant is not an individual specified in section 62.1-02-01 and for a class 1 firearm license the applicant:
 - (1) Has not been convicted of a felony;

- (2) Has not been convicted of a crime of violence;
- (3) Has not been convicted of an offense involving the use of alcohol within ten years prior to the date of application;
- (4) Has not been convicted of a misdemeanor offense involving the unlawful use of narcotics or other controlled substances within ten years prior to the date of application;
- (5) Has not been convicted of an offense involving moral turpitude;
- (6) Has not been convicted of an offense involving domestic violence;
- (7) Has not been adjudicated by a state or federal court as mentally incompetent, unless the adjudication has been withdrawn or reversed; and
- (8) Is qualified to purchase and possess a firearm under federal law;
- d. The applicant has successfully completed the testing procedure conducted by a certified test administrator. The person conducting the testing may assess a charge of up to fifty dollars for conducting this testing. The attorney general may certify a test administrator based upon criteria and guidelines prescribed by the director of the bureau of criminal investigation;
- e. The applicant satisfactorily completes the bureau of criminal investigation application form and has successfully passed the criminal history records check conducted by the bureau of criminal investigation and the federal bureau of investigation. The applicant shall provide all documentation relating to any court-ordered treatment or commitment for mental health or alcohol or substance abuse. The applicant shall provide the director of the bureau of criminal investigation written authorizations for disclosure of the applicant's mental health and alcohol or substance abuse evaluation and treatment records. The bureau may deny approval for a license if the bureau has reasonable cause to believe that the applicant or licenseholder has been or is a danger to self or others as demonstrated by evidence, including past pattern of behavior involving unlawful violence or threats of unlawful violence; past participation in incidents involving unlawful violence or threats of unlawful violence; or conviction of a weapons offense. In determining whether the applicant or licenseholder has been or is a danger to self or others, the bureau may inspect expunged records of arrests and convictions of adults and juvenile court records; and
- f. The applicant is not prohibited under federal law from owning, possessing, or having a firearm under that individual's control.
- 2. The attorney general shall offer class 1 firearm and class 2 firearm and dangerous weapon licenses to carry a firearm or dangerous weapon concealed under the following requirements:
 - a. An applicant for a class 1 firearm license shall successfully participate in a classroom instruction that sets forth weapon safety rules and the deadly force law of North Dakota, complete an open book test based upon a manual, demonstrate familiarity with a firearm, and complete an actual shooting or certified proficiency exercise. Evidence of familiarity with a firearm to be concealed may be satisfied by one of the following:
 - (1) Certification of familiarity with a firearm by an individual who has been certified by the attorney general, which may include a law enforcement officer, military or civilian firearms instructor, or hunter safety instructor;
 - (2) Evidence of equivalent experience with a firearm through participation in an organized shooting competition, law enforcement, or military service;
 - (3) Possession of a license from another state to carry a firearm, concealed or otherwise, which is granted by that state upon completion of a course described in paragraphs 1 and 2; or
 - (4) Evidence that the applicant, during military service, was found to be qualified to operate a firearm.
 - b. An applicant for a class 2 firearm and dangerous weapon license is required to successfully complete the open book test offered for the class 1 firearm license.

- c. A North Dakota resident who has a valid class 1 firearm license also may carry a class 2 dangerous weapon without any further testing required. Class 1 and class 2 permits are equally valid in this state.
 - d. Additional testing is not required to renew a class 2 firearm and dangerous weapon license. A class 1 firearm license may be renewed upon successful completion of the class 1 firearm requirements within thirty days before submission of the application for renewal.
 - e. An individual who has a valid class 2 firearm license may apply to upgrade to a class 1 firearm license within five years from the date the class 2 firearm license was issued and upon successful completion of the requirements under this chapter. An individual who has a valid class 1 firearm license may request to convert the license to a class 2 firearm license before the expiration of the class 1 firearm license.
3. The director of the bureau of criminal investigation shall send by mail to a holder of a license a notice of the procedures for renewal of the license issued under this section. The director shall give the notice at least one hundred fifty days but not more than one hundred eighty days before the expiration of the license.
4. The bureau of criminal investigation is required to process the application and make a determination within sixty days of receipt of the properly completed application.
5. The fee for a concealed weapons license must be credited to the attorney general's operating fund. All fees must be paid before the license application may be processed by the director of the bureau of criminal investigation. The attorney general shall list the fees associated with the license, including the costs of the fingerprint-based federal criminal history record check, in the attorney general's administrative rules.
6. The director of the bureau of criminal investigation shall prescribe the form of the application and license, which must include the name, address, description, a photograph, and the signature of the individual. The application form must require sufficient information to properly conduct a criminal history record check and be accompanied by:
 - a. A photocopy of a valid driver's license or identification card issued by this state which establishes personal identification through photographic means and shows the applicant's name associated with a valid residential street address in this state or a valid state-issued driver's license from the applicant's state of residence which establishes personal identification through photographic means and shows the applicant's name associated with a valid residential street address and a valid concealed weapons license from the applicant's state of residence, which has reciprocity with this state under section 62.1-04-03.1; and
 - b. Two sets of classifiable fingerprints. The two sets of classifiable fingerprints are not required for a renewal of a concealed weapons license. The license is valid for five years. The original license must be delivered to the licensee and an electronic copy must be preserved for six years by the director. Access to license information must be available to law enforcement through electronic means for official law enforcement purposes. The applicant or licenseholder shall notify the director of the bureau of criminal investigation of any change of address or any other material fact which would affect the restrictions on or the need for the license.
7. The director of the bureau of criminal investigation may deny an application or revoke or cancel a license after it has been granted for any material misstatement by an applicant in an application for the license or any violation of this title. The director of the bureau of criminal investigation shall disclose to the applicant the specific reason for denial or revocation of the license.
8. The applicant may appeal a denial or revocation of this license to the district court of Burleigh County.
9. Information collected from an applicant under this section is confidential information. However, the information may be disclosed:

- a. To a governmental agency or court for a law enforcement purpose, including the investigation, prosecution, or punishment of a violation of law. HB 1310
2.7.19
- b. To a court to aid in a decision concerning sentence, probation, or release pending trial or appeal. Attachment 2
- c. Pursuant to a court order or a judicial, legislative, or administrative agency subpoena issued in this state.
10. The attorney general may adopt any rules necessary to implement this title.

62.1-04-03.1. Reciprocity.

A person who has a valid license issued by another state to carry a concealed firearm or dangerous weapon in that state and whose state grants to residents of this state the right to carry a concealed firearm or dangerous weapon without requiring a separate license to carry a concealed firearm or dangerous weapon issued by that state may carry, subject to the provisions of this state's law, a concealed firearm or dangerous weapon in this state, and the other state's license is valid in this state.

62.1-04-04. Producing license on demand.

1. Every individual while carrying a concealed firearm or dangerous weapon, for which a license to carry concealed is required, shall have on one's person the license issued by this or another state and shall give it to any active law enforcement officer for an inspection upon demand by the officer. The failure of any individual to give the license to the officer is prima facie evidence the individual is illegally carrying a firearm or dangerous weapon concealed.
2. Every individual carrying a concealed firearm under the authority granted in subsection 2 of section 62.1-04-02 shall inform a law enforcement officer of the individual's possession of a concealed weapon upon the initiation of a traffic stop or any other in-person contact initiated by a law enforcement officer.
3. Every individual carrying a concealed firearm under the authority granted in subsection 2 of section 62.1-04-02 must have on one's person a valid driver's license or nondriver identification card issued by the department of transportation or a digital image of one's valid driver's license or nondriver identification card on a mobile device and shall provide the license or card to any law enforcement officer for inspection upon demand by the officer.

62.1-04-05. Penalty.

Any person who violates this chapter is guilty of a class A misdemeanor.

19.0290.01001
Title.

Attachment 1
2.14.19
Prepared by the Legislative Council staff for HB1310
Representative M. Ruby Subcommittee
February 13, 2019

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1310

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new subsection to section 62.1-02-05 of the North Dakota Century Code, relating to the possession of a firearm or dangerous weapon at a public gathering."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

Unless otherwise prohibited by the governing body of a public building or public property, subsection 1 does not apply to an individual who possesses a valid class 1 firearm and dangerous weapon license under section 62.1-04-03 and the licensed individual is in a public building or on public property."

Renumber accordingly

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