



HB 1339 – Relating to Dangerous Weapons and Public Gatherings.

February 15, 2021

Chairman Klemin and members of the House Judiciary Committee. Thank you for the opportunity to testify on this HB 1339. I am Dr. Russ Ziegler, assistant director for the North Dakota Council of Educational Leaders. I am in front of you today to testify in opposition to HB 1339.

In the original form the bill would strike out numerous items that were defined as “Dangerous Weapons”. These include switchblades, machetes, stiletto, dagger, nunchaku, metal knuckles, etc. Striking these weapons from the century code could possibly have a unintended effect on schools. Schools in North Dakota utilize these definitions in their policies as to what students can bring and have on school grounds. On page 3 lines 21 through 24, this bill also states that political subdivisions can only enact an ordinance that is less restrictive than this section. That line along with the striking of the dangerous weapons definitions on page 1 would allow those items to be allowed on school grounds. This removal of items is very concerning for the field, as all of the items removed you would not want on school grounds. One item kept in the definition was a knife with a blade of five inches or more, but did you know that your heart is only approximately 1 ¼” from the sternum or that numerous veins and arteries are under an inch deep. I would consider knives under 5 inches could also be considered dangerous weapons. The items on the list being struck are items that were mainly created to cause bodily injury. Metal or brass knuckles for example have no other purpose except to improve the punching power of the wearer and causing more injury to the recipient. These would not belong in a school or on school grounds.

Another concern of ours is the removal of athletic or sporting event and the addition of building on page 2 line 7. With the removal of athletic or sporting events and adding the word building behind school this would make it legal for individuals, even some students, to carry a firearm or dangerous weapon on school grounds. The addition of the word building would make it an infraction if they carried it into school, but they could have it at the football game, soccer match, track, etc. It would be allowed anywhere outside of the building. We would have numerous concerns with this language as we did with the language of HB 1311. A school has more property than just the building. We would request that the amendment that was discussed with a seminal bill also be utilized with this one: Public Gathering would include any school sponsored or sanctioned events. However, I am still not sure that would allow the school to ban those items, if the local board so chooses. It would only take place during a “Public Gathering”. The question is would a regular school day be considered a public gathering?



33 I do understand where these bills are coming from, and that the intent of the sponsors is to have
34 the ability to protect those around them. But having more guns or weapons is not the answer.
35 Improving mental health services, education, teaching empathy and compassion will do more to
36 fight violence than having more armed individuals could ever do. We also oppose this bill for the
37 reasons I have stated when I testified in opposition of HB 1311.

38 This concludes my testimony and I want to thank you again for the opportunity to stand in front
39 of you today. I can stand for any questions.