

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2257

2001 SENATE JUDICIARY

SB 2257

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2257

Senate Judiciary Committee

Conference Committee

Hearing Date January 30th, 2001

Tape Number	Side A	Side B	Meter #
1	X		24.9-29.6
Committee Clerk Signature			

Minutes: **Senator Traynor** opened the hearing on SB 2257: A BILL FOR AN ACT TO AMEND AND REENACT SECTION 62.1-02-05 OF THE NORTH DAKOTA CENTURY CODE, RELATING TO POSSESSION OF A FIREARM AT A PUBLIC GATHERING.

**Senator Lyson**, on page 1 line 20 after "district court judge," insert word "and." On page 1 line 20 after "retired" insert "ND." Reason we inserted this because we want those who are retired should get this privilege.

**Senator Watne**, you specify district and municipal judges. What about other judges?

**Senator Lyson**, they didn't care one way or the other. I think retirees should be allowed to carry concealed weapons.

**Senator Traynor** closed the hearing on SB 2257.

**MOTION WAS MADE BY SENATOR LYSON TO AMEND BILL AS THOSE PROPOSED. SECONDED BY SENATOR TRENBEATH. VOTE INDICATED 7 YEAS, 0 NAYS, AND 0 ABSENT NOT VOTING. MOTION WAS MADE BY SENATOR**

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Senate Judiciary Committee  
Bill/Resolution Number SB 2257  
Hearing Date JANUARY 30TH, 2001

**LYSON TO DO PASS AS AMENDED. SECONDED BY SENATOR TRENBEATH.**

**VOTE INDICATED 7 YEAS, 0 NAYS, AND 0 ABSENT AND NOT VOTING. SENATOR**

**LYSON VOLUNTEERED TO CARRY THE BILL.**

PROPOSED AMENDMENTS TO SENATE BILL NO. 2257

Page 1, line 20, after "district court judge," Insert "and"

Page 1, line 20, after "retired" Insert "North Dakota"

Page 1, line 20, after "officer" remove ", a state's attorney,"

Page 1, line 21, remove "and an assistant state's attorney"

Renumber accordingly





REPORT OF STANDING COMMITTEE (410)  
January 31, 2001 8:21 a.m.

Module No: SR-17-1974  
Carrier: Lyson  
Insert LC: 10599.0201 Title: .0300

**REPORT OF STANDING COMMITTEE**

**SB 2257: Judiciary Committee (Sen. Traynor, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2257 was placed on the Sixth order on the calendar.

Page 1, line 20, after the second underscored comma insert "and", after "retired" insert "North Dakota", and remove ", a state's attorney,"

Page 1, line 21, remove "and an assistant state's attorney"

Renumber accordingly



2001 HOUSE JUDICIARY

SB 2257

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2257

House Judiciary Committee

Conference Committee

Hearing Date 03-06-01

Tape Number	Side A	Side B	Meter #
TAPE I		x	3239 to 4991
Committee Clerk Signature <i>Joan Davis</i>			

Minutes: Chairman DeKrey opened the hearing on SB 2257. Relating to possession of a firearm at a public gathering.

Rep Porter: District 34 This bill came by way of a problem that would not allow him to carry a concealed weapon in places where he has to do business. When he had a threat against his life, he felt he was unprotected. It was felt that as a retired judge that he should be able to carry a weapon if he met the training requirements. There is a difference between a retired law officer and a retired judge. This bill would cover a retired law officer who retires in the system. The training requirement remains the same as a law enforcement officer.

Rep Eckre: On line nine it states, or sporting events. What about turkey shoots.

Rep Porter: That is the current law for concealed weapon permits, and the reason that is in there is to keep people from going to a high school football game and carrying a concealed weapon, it has nothing to do with shooting events.

Rep Delmore: Any of these people can come into my school or church with a concealed weapon.

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House Judiciary Committee  
Bill/Resolution Number SB 2257  
Hearing Date 03-06-01

Rep Porter: Any of these people, yes if they are certified/

Rep Delmore: what is the level of training.

Rep Porter: I am going to defer that to Senator Lyson.

Vic Chr Kretschmar: What is the reason that the supreme court is left out.

Rep Porter: We were on short notice and didn't know about the justices, we can amend them back in.

Rep Mahoney: Municipal court judges of small town, they are not law trained, but they would have to maintain the same level of a police officer. Doesn't that go beyond concealed weapons requirement.

Rep Porter: That is the point of the bill, if they want to carry a concealed weapon, they would have the same training level and competency level as a police officer and in compliance with the local authorities.

Rep Klemin: Why would a retired North Dakota law enforcement officer would want to carry a concealed weapon.

Rep Porter: I will defer to Senator Lyson.

Rep Onstad: Who will monitor them that they stay current.

Rep Porter: The Attorney General's Office.

Chairman DeKrey: If there are no questions, thank you for appearing before the committee.

Rep Delmore: It was about the training.

Senator Lyson: Someone was wondering about states attorneys, they are already in the law, they are considered a law enforcement officer without a concealed weapon permit as long as they remain proficient. The training to get a permit, but that only allows you to carry it while you are

out away from buildings. He then goes on to explain how to obtain a permit and what the requirements are. A question was asked why does the retired law enforcement need the concealed weapon and the answer is most times you don't.

Rep Klemin: The question was why a North Dakota law enforcement officer would want to carry a concealed weapon in all of these other places.

Senator Lyson: I agree with you in some respects.

Rep Klemin: So what you are saying is that you need it for self defense.

Senator Lyson: For protection.

Rep Klemin: So if someone tries to shoot you, you can shoot back in a public place.

Senator Lyson: Well it depends on what the public place is, that is what our training is all about.

Rep Klemin: I understand that, but you were talking about someone who has been retired for twenty years.

Senator Lyson: If he is trained and he is proficient.

Rep Delmore: Are we putting others at risk in a public place.

Senator Lyson: That is a possibility.

Chairman DeKrey: If there are no further questions, thank you for appearing.

Senator Lyson: I should mention that the supreme court asked to be taken out of the bill.

Rep Maragos: They also have security in the court room.

Chairman DeKrey: If there is no further testimony, is there anyone in opposition, neutral, we will close the hearing on SB 2257.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2257b

House Judiciary Committee

Conference Committee

Hearing Date 03-14-01

Tape Number	Side A	Side B	Meter #
TAPE I	x		1743 to 28501
Committee Clerk Signature <i>Joan Diers</i>			

Minutes: Chairman DeKrey called the committee to order on SB 2257.

DISCUSSION

Rep Klemin: I would like to add an amendment on page one line to read - licensed to practice law in this state. He moved the amendment, seconded by Rep Mahoney.

Chairman DeKrey: We will have a voice vote on the amendment, motion carries. What are the wishes of the committee. Rep Maragos moved a DO PASS as amend on SB 2257 , seconded by Rep Kingsbury.

DISCUSSION

Rep Eckre: moved an amendment on page two line four remove less and add the word more, seconded by Rep Maragos. Voice vote on this amendment. Motion carries.

Chairman DeKrey: What are your wishes, Rep Maragos has moved a DO PASS as amend and seconded by Rep Kingsbury. The clerk will call the roll on a DO PASS as amend motion on SB 2257. The motion carries with a vote of 12 YES, 1 NO and 2 ABSENT.

10599.0301  
Title.

Prepared by the Legislative Council staff for  
Representative Klemin  
March 13, 2001

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2257

Page 1, line 20, after the first "judge" insert "serving a city with a population of five thousand or more individuals"

Renumber accordingly

10599.0302  
Title.0400

Adopted by House Judiciary Committee  
March 14, 2001

VR  
3/14/01

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL 2257 HOUSE JUDICIARY 03-15-01**  
Page 1, line 20, after the first "judge" insert "licensed to practice law in this state"

Renumber accordingly

Date: 03-14-01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB-2257

House JUDICIARY Committee

Subcommittee on \_\_\_\_\_  
or

Conference Committee

Legislative Council Amendment Number 10599.0302 .0400

Action Taken Do Pass as amend

Motion Made By Rep Maragos Seconded By Rep Kingsbury

Representatives	Yes	No	Representatives	Yes	No
CHR - Duane DeKrey	✓				
VICE CHR -- Wm E Kretschmar	✓				
Rep Curtis E Brekke					
Rep Lois Delmore	✓				
Rep Rachael Disrud	✓				
Rep Bruce Eckre	✓				
Rep April Fairfield					
Rep Bette Grande	✓				
Rep G. Jane Gunter	✓				
Rep Joyce Kingsbury	✓				
Rep Lawrence R. Klemin	✓				
Rep John Mahoney	✓				
Rep Andrew G Maragos	✓				
Rep Kenton Onstad	✓				
Rep Dwight Wrangham		✓			

Total (Yes) 12 No 1

Absent 2

Floor Assignment Rep Kingsbury

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



**REPORT OF STANDING COMMITTEE (410)**  
March 15, 2001 8:10 a.m.

Module No: HR-45-5641  
Carrier: Kingsbury  
Insert LC: 10599.0302 Title: .0400

**REPORT OF STANDING COMMITTEE**

**SB 2257, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2257 was placed on the Sixth order on the calendar.**

Page 1, line 20, after the first "judge" insert "licensed to practice law in this state"

Renumber accordingly