

2019 HOUSE ENERGY AND NATURAL RESOURCES COMMITTEE

HB 1323

2019 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Coteau Room, State Capitol

HB 1323
1/17/2019
30994

- ☐ Subcommittee
☐ Conference Committee

Committee Clerk: Kathleen Davis

Explanation or reason for introduction of bill/resolution:

a bill relating to the definition of dangerous weapon

Minutes:

Attachment 1

Chairman Porter: called the hearing to order on HB 1323.

Rep. Paur presented Attachment 1.

Chairman Porter: Questions? Testimony in support? Opposition? Closed the hearing.

2019 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Coteau Room, State Capitol

HB 1323
2/14/2019
32718

- ☐ Subcommittee
☐ Conference Committee

Committee Clerk: Kathleen Davis

Explanation or reason for introduction of bill/resolution:

a bill relating to the definition of dangerous weapon

Minutes:

Chairman Porter: called the hearing to order on HB 1323. We have Rep. Paur's bill that would remove BB guns, compressed air, compressed gas, CO2 rifles, from the list of dangerous weapons. I understand the scenario with the Red Rider BB gun and the little boy. However in today's world of technology, that little Red Rider is no longer just a BB gun that isn't going to potentially kill someone. I don't support removing that from the list as technology has caught up.

Rep. Anderson: Some of those are shooting at the same velocity as a .22 now.
Chairman Porter: The Supreme Court mailed out, I don't know if you all got it, but there are people in prison over this because they used this weapon in the commission of their crime, and it would significantly change the way the commission of a crime using this type of weapon could be committed, and not get into those dangerous weapon statutes.

Rep. Keiser: Move a Do Not Pass.

Rep. Lefor: Second.

Chairman Porter: We have a motion and a second for a Do Not Pass on HB 1323.
Roll Call vote 14 yes 0 no 0 absent. Motion carried. Rep. Anderson is carrier.

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

**2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1323**

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 Keiser 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) 14 No 0

Absent 0

Floor Assignment Rep Anderson

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

REPORT OF STANDING COMMITTEE

HB 1323: Energy and Natural Resources Committee (Rep. Porter, Chairman)
recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
HB 1323 was placed on the Eleventh order on the calendar.

2019 TESTIMONY

HB 1323

#1
HB 1323
1-17-19

Energy and Natural Resources Committee

January 17, 2019 2PM

HB 1323

Mr. Chairman and members of the committee, my name is Representative Gary Paur representing District 19 which encompasses a good part of Grand Forks and Walsh Counties. Probably my second session in the legislature was when I noticed this portion of the code and it has bothered me ever since. I have asked the AG's office for an explanation for its inclusion and have not received an answer. Basically, I am asking you to look at the section of code which includes BB guns and CO2 guns in the definition of dangerous weapons.

It appears these sections of code are too inclusive and a 12-year-old with a Red Ryder BB gun is in possession of a dangerous weapon. While there is some danger with a BB gun it probably does not rise to the level of an ax or even a rock which are not in the list of dangerous weapons. As far as the CO2 guns go, your chairman has pointed out to me there are CO2 guns which attain very high velocities. While this is true, the listing would also include paint ball guns which operate at low velocities and are designed to NOT be a danger

I have now done something about my irritation with this portion of code. As I see it, if you do not care for deleting these sections you can just send it out as Do Not Pass and be done with it. If having Red Ryder BB guns and paint ball guns classified as dangerous weapons appears to be unwise you can amend the bill to make these sections a little more reasonable. Whether you do anything is, of course, completely up to you and will not cause me any heartburn either way. I have a Class 1 license which allows me to carry dangerous weapons such as Red Ryder BB guns and paint ball guns.

Thank You and I will stand for any questions.