

**2021 HOUSE ENERGY AND NATURAL RESOURCES**

**HB 1450**

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee

Coteau AB Room, State Capitol

HB 1450

1/28/2021

Relating to a license to carry a firearm or dangerous weapon concealed
--

10:47 AM

Present: Representatives Porter, Damschen, Anderson, Bosch, Devlin, Heinert, Keiser, Lefor, Marschall, Roers Jones, M Ruby, Zubke, Guggisberg, and Ista.

### Discussion Topics:

- Class 1 license
- Offense involving the use of alcohol
- Reciprocity with MN

#4068 Rep Ben Koppelman, District 16

#3950 Brian Gosch, state director, National Rifle Association

### Additional written testimony:

#3960 Ryan Warner, Synthesis.Earth

Closed the hearing 11:04 AM

*Kathleen Davis, Committee Clerk*

## HB 1450

### Rep. Ben Koppelman- Testimony

Mr. Chairman and Members of the Committee,

Thank you for the opportunity to introduce HB 1450 to you today.

This bill makes a relatively simple change to the restrictions of class 1 Firearms License, by no longer prohibiting an individual from being eligible for the license solely on the basis on an alcohol violation.

I have researched this topic individually and with the assistance of others, and I can find no compelling reason to have this provision. I cannot find a statistical link between those that had a DUI in the past decade and being a risk to society based on possessing a class 1 firearms license. In fact, that link likely does not exist as we currently allow an individual with an alcohol violation to have a class 2 permit.

I spoke at length with Casey Miller at BCI to see if they knew why we had the provision, and if they knew if any of our reciprocal states required it, and they didn't know. They put me in contact with Liz Brocker with the AG's office to see if they could provide information to those questions, and she did not know for sure, but said that in addition to the mental health provision, it could have been a factor in our original approval.

I then had legislative council research the origin of the provision in North Dakota law. This provision was introduced into Century Code during the 2011 legislative session as HB 1461 along with many other pre-qualifications that we currently have for our class 1 permit. In testimony to the Judiciary Committee, the bill sponsor indicated that previous attempts to get reciprocity with Minnesota had been unsuccessful, and the reason given was that they didn't like our mental health provisions. He went on to say that there was a lot of back and

NATIONAL RIFLE ASSOCIATION OF AMERICA

**INSTITUTE FOR LEGISLATIVE ACTION**

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



**NRA**

January 27, 2021

House Committee on Energy and Natural Resources  
600 East Boulevard Avenue  
Bismarck, ND 58505

Dear Chairman Porter:

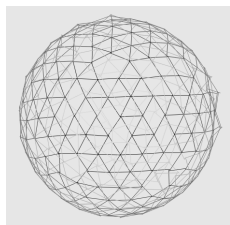
I am writing to you regarding House Bill 1450 (HB 1450) and the National Rifle Association's (NRA) support for this piece of legislation. This bill removes an alcohol violation as a prohibiting factor for obtaining a Class 1 Carry Permit.

The NRA supports the right of self-defense of all North Dakotans who are not otherwise prohibited by law from owning or possessing a firearm. This includes carrying outside the home and while traveling. Currently, anyone with an alcohol violation is not eligible for a Class 1 Carry Permit for 10 years. This is severe. This precludes otherwise law-abiding gun owners in North Dakota, who fall under that prohibition, from being able to carry concealed legally, in other Midwest states like Minnesota, Wisconsin and Nebraska.

We believe that individuals that are not prohibited persons, should not lose their right to self-defense when they leave their home. For these reasons, and others, the NRA supports the passage of HB 1450 as it is currently written.

Sincerely,

Brian Gosch  
State Director North Dakota  
NRA-ILA



SYNTHESIS.EARTH

January 27, 2021

RE: TESTIMONY IN OPPOSITION TO HB 1450

HB 1450 seeks to remove restrictions on the acquisition of a class 1 firearm license by those who have been convicted of an alcohol-related offense within the last 10 years.

Simply stated, if someone has proven that they cannot be responsible with alcohol it gives the public little confidence that that person can be expected to be responsible with a firearm.

As written, the current law provides both an additional incentive for citizens to act responsible in regards to alcohol, while also providing for a suitable period of rehabilitation and penance before citizens are allowed to acquire a class 1 firearm license again.

As such, we urge the committee to move forward with a DO NOT PASS recommendation for HB 1450.

Sincerely,  
Ryan Warner  
Synthesis.Earth

# **2021 HOUSE STANDING COMMITTEE MINUTES**

## **Energy and Natural Resources Committee**

Coteau AB Room, State Capitol

HB 1450 Subcommittee

2/4/2021

Relating to a license to carry a firearm or dangerous weapon concealed
--

**3:31 PM**

Chairman Heinert opened the committee hearing.

Present: Representatives Heinert, Roers Jones, M Ruby, and Guggisberg. Absent: Rep D Anderson

### **Discussion Topics:**

- Amendment .01001 Koppelman
- Contingent effective date
- Reciprocity

#5543 Rep Heinert- passed Rep B Koppelman's HB 1450 amendment 01001

**3:42 PM**

*Kathleen Davis, Committee Clerk*

21.0948.01001

Sixty-seventh  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1450**

Introduced by

Representative B. Koppelman

1 A BILL for an Act to amend and reenact subsection 1 of section 62.1-04-03 of the North Dakota  
2 Century Code, relating to a license to carry a firearm or dangerous weapon concealed; and to  
3 provide a contingent effective date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 62.1-04-03 of the North Dakota  
6 Century Code is amended and reenacted as follows:

- 7 1. The director of the bureau of criminal investigation shall issue a license to carry a  
8 firearm or dangerous weapon concealed upon review of an application submitted to  
9 the director if the following criteria are met:
- 10 a. The applicant is at least twenty-one years of age for a class 1 firearm license or  
11 at least eighteen years of age for a class 2 firearm and dangerous weapon  
12 license;
- 13 b. The applicant can demonstrate that the applicant is a resident of this state by  
14 providing a copy of a valid driver's license or state-issued identification card from  
15 this state that establishes personal identification through photographic means  
16 and shows the applicant's name associated with a valid residential street address  
17 in this state or the applicant possesses a valid driver's license from the  
18 applicant's state of residence that establishes personal identification through  
19 photographic means and shows the applicant's name associated with a valid  
20 residential street address and a valid concealed weapons license from the  
21 applicant's state of residence, which state has reciprocity with this state under  
22 section 62.1-04-03.1;
- 23 c. The applicant is not an individual specified in section 62.1-02-01 and for a class 1  
24 firearm license the applicant:



Sixty-seventh  
Legislative Assembly

- 1 (1) Has not been convicted of a felony;
- 2 (2) Has not been convicted of a crime of violence;
- 3 (3) ~~Has not been convicted of an offense involving the use of alcohol within ten~~
- 4 ~~years prior to the date of application;~~
- 5 (4) Has not been convicted of a misdemeanor offense involving the unlawful
- 6 use of narcotics or other controlled substances within ten years prior to the
- 7 date of application;
- 8 (5)(4) Has not been convicted of an offense involving moral turpitude;
- 9 (6)(5) Has not been convicted of an offense involving domestic violence;
- 10 (7)(6) Has not been adjudicated by a state or federal court as mentally
- 11 incompetent, unless the adjudication has been withdrawn or reversed; and
- 12 (8)(7) Is qualified to purchase and possess a firearm under federal law;
- 13 d. The applicant has successfully completed the testing procedure conducted by a
- 14 certified test administrator. The person conducting the testing may assess a
- 15 charge of up to fifty dollars for conducting this testing. The attorney general may
- 16 certify a test administrator based upon criteria and guidelines prescribed by the
- 17 director of the bureau of criminal investigation;
- 18 e. The applicant satisfactorily completes the bureau of criminal investigation
- 19 application form and has successfully passed the criminal history records check
- 20 conducted by the bureau of criminal investigation and the federal bureau of
- 21 investigation. The applicant shall provide all documentation relating to any
- 22 court-ordered treatment or commitment for mental health ~~or alcohol~~ or substance
- 23 abuse. The applicant shall provide the director of the bureau of criminal
- 24 investigation written authorizations for disclosure of the applicant's mental health
- 25 ~~and alcohol~~ or substance abuse evaluation and treatment records. The bureau
- 26 may deny approval for a license if the bureau has reasonable cause to believe
- 27 that the applicant or licenseholder has been or is a danger to self or others as
- 28 demonstrated by evidence, including past pattern of behavior involving unlawful
- 29 violence or threats of unlawful violence; past participation in incidents involving
- 30 unlawful violence or threats of unlawful violence; or conviction of a weapons
- 31 offense. In determining whether the applicant or licenseholder has been or is a



1 danger to self or others, the bureau may inspect expunged or sealed records of  
2 arrests and convictions of adults and juvenile court records; and

- 3 f. The applicant is not prohibited under federal law from owning, possessing, or  
4 having a firearm under that individual's control.

5 **SECTION 2. CONTINGENT EFFECTIVE DATE.** This Act becomes effective on the date the  
6 attorney general certifies to the legislative council that the enactment of section 1 of this Act will  
7 not impact the reciprocity of class 1 firearm and dangerous weapons license holders carrying a  
8 concealed firearm or dangerous weapon in the state of Minnesota.

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee

Coteau AB Room, State Capitol

HB 1450 Subcommittee

2/5/2021

Relating to a license to carry a firearm or dangerous weapon concealed
--

10:47 AM

Chairman Heinert opened the committee hearing.

Present: Representatives Heinert, Roers Jones, M Ruby, and Guggisberg. Absent: Rep D Anderson.

Also present: Samantha Kramer, LC legal counsel

### Discussion Topics:

- Contingent effective date
- Reciprocity
- Recommendation of amendment 01002

### Additional written testimony:

Rep Roers Jones – amendments #5671, #5672

Closed the hearing 11:04 AM

*Kathleen Davis, Committee Clerk*

21.0948.01002  
Title.

Prepared by the Legislative Council staff for  
Representative Roers Jones  
February 5, 2021

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1450

Page 2, line 2, remove the overstrike over "~~Has not been convicted of an offense involving the use of alcohol within~~ "

Page 2, line 2, overstrike "ten" and insert immediately thereafter "three"

Page 2, remove the overstrike over line 3

Page 2, line 4, remove the overstrike over "{4}"

Page 2, line 7, remove the overstrike over "{5}"

Page 2, line 7, remove "{4}"

Page 2, line 8, remove the overstrike over "{6}"

Page 2, line 8, remove "{5}"

Page 2, line 9, remove the overstrike over "{7}"

Page 2, line 9, remove "{6}"

Page 2, line 11, remove the overstrike over "{8}"

Page 2, line 11, remove "{7}"

Page 3, after line 4, insert:

**"SECTION 2. EXPIRATION DATE.** This Act is effective until the date the attorney general certifies to the legislative council that the enactment of section 1 impacts the reciprocity of class 1 firearm and dangerous weapons licenseholders carrying a concealed firearm or dangerous weapon in the state of Minnesota, and after that date is ineffective."

Renumber accordingly

21.0948.01002

Sixty-seventh  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1450**

Introduced by

Representative B. Koppelman

1 A BILL for an Act to amend and reenact subsection 1 of section 62.1-04-03 of the North Dakota  
2 Century Code, relating to a license to carry a firearm or dangerous weapon concealed.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 1 of section 62.1-04-03 of the North Dakota  
5 Century Code is amended and reenacted as follows:

- 6 1. The director of the bureau of criminal investigation shall issue a license to carry a  
7 firearm or dangerous weapon concealed upon review of an application submitted to  
8 the director if the following criteria are met:
- 9 a. The applicant is at least twenty-one years of age for a class 1 firearm license or  
10 at least eighteen years of age for a class 2 firearm and dangerous weapon  
11 license;
- 12 b. The applicant can demonstrate that the applicant is a resident of this state by  
13 providing a copy of a valid driver's license or state-issued identification card from  
14 this state that establishes personal identification through photographic means  
15 and shows the applicant's name associated with a valid residential street address  
16 in this state or the applicant possesses a valid driver's license from the  
17 applicant's state of residence that establishes personal identification through  
18 photographic means and shows the applicant's name associated with a valid  
19 residential street address and a valid concealed weapons license from the  
20 applicant's state of residence, which state has reciprocity with this state under  
21 section 62.1-04-03.1;
- 22 c. The applicant is not an individual specified in section 62.1-02-01 and for a class 1  
23 firearm license the applicant:
- 24 (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~~three~~ 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)~~(4) Has not been convicted of an offense involving moral turpitude;

~~(6)~~(5) Has not been convicted of an offense involving domestic violence;

~~(7)~~(6) Has not been adjudicated by a state or federal court as mentally  
incompetent, unless the adjudication has been withdrawn or reversed; and

~~(8)~~(7) 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

- 1 danger to self or others, the bureau may inspect expunged or sealed records of  
2 arrests and convictions of adults and juvenile court records; and  
3 f. The applicant is not prohibited under federal law from owning, possessing, or  
4 having a firearm under that individual's control.

5 **SECTION 2. EXPIRATION DATE.** This Act is effective until the date the attorney general  
6 certifies to the legislative council that the enactment of section 1 impacts the reciprocity of  
7 class 1 firearm and dangerous weapons licenseholders carrying a concealed firearm or  
8 dangerous weapon in the state of Minnesota, and after that date is ineffective.

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee

Coteau AB Room, State Capitol

HB 1450 Subcommittee

2/11/2021

Relating to a license to carry a firearm or dangerous weapon concealed
--

**10:25 AM**

Chairman Heinert opened the committee hearing.

Present: Representatives Heinert, Roers Jones, M Ruby, Guggisberg and Anderson.

### Discussion Topics:

- Proposed changes
- 3-year limitation for misdemeanors
- Unknown MN interpretation if this bill is passed

Rep M Ruby moved for a favorable recommendation on the 21.0948.01002 version, seconded by Rep Guggisberg.

Representatives	Vote
Representative Pat Heinert	Y
Representative Shannon Roers Jones	Y
Representative Dick Anderson	Y
Representative Matt Ruby	Y
Representative Ron Guggisberg	Y

Motion carried. 5 – 0 – 0

Rep Roers Jones #5671, #5672

**10:36 AM** hearing closed.

*Kathleen Davis, Committee Clerk*



PROPOSED AMENDMENTS TO HOUSE BILL NO. 1450

Page 2, line 2, remove the overstrike over "~~Has not been convicted of an offense involving the use of alcohol within~~ "

Page 2, line 2, overstrike "ten" and insert immediately thereafter "three"

Page 2, remove the overstrike over line 3

Page 2, line 4, remove the overstrike over "{4}"

Page 2, line 7, remove the overstrike over "{5}"

Page 2, line 7, remove "{4}"

Page 2, line 8, remove the overstrike over "{6}"

Page 2, line 8, remove "{5}"

Page 2, line 9, remove the overstrike over "{7}"

Page 2, line 9, remove "{6}"

Page 2, line 11, remove the overstrike over "{8}"

Page 2, line 11, remove "{7}"

Page 3, after line 4, insert:

**"SECTION 2. EXPIRATION DATE.** This Act is effective until the date the attorney general certifies to the legislative council that the enactment of section 1 impacts the reciprocity of class 1 firearm and dangerous weapons licenseholders carrying a concealed firearm or dangerous weapon in the state of Minnesota, and after that date is ineffective."

Renumber accordingly

21.0948.01002  
Title.

Prepared by the Legislative Council staff for  
Representative Roers Jones  
February 5, 2021

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1450

Page 2, line 2, remove the overstrike over "~~Has not been convicted of an offense involving the use of alcohol within~~ "

Page 2, line 2, overstrike "ten" and insert immediately thereafter "three"

Page 2, remove the overstrike over line 3

Page 2, line 4, remove the overstrike over "{4}"

Page 2, line 7, remove the overstrike over "{5}"

Page 2, line 7, remove "{4}"

Page 2, line 8, remove the overstrike over "{6}"

Page 2, line 8, remove "{5}"

Page 2, line 9, remove the overstrike over "{7}"

Page 2, line 9, remove "{6}"

Page 2, line 11, remove the overstrike over "{8}"

Page 2, line 11, remove "{7}"

Page 3, after line 4, insert:

**"SECTION 2. EXPIRATION DATE.** This Act is effective until the date the attorney general certifies to the legislative council that the enactment of section 1 impacts the reciprocity of class 1 firearm and dangerous weapons licenseholders carrying a concealed firearm or dangerous weapon in the state of Minnesota, and after that date is ineffective."

Renumber accordingly

21.0948.01002

Sixty-seventh  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1450**

Introduced by

Representative B. Koppelman

1 A BILL for an Act to amend and reenact subsection 1 of section 62.1-04-03 of the North Dakota  
2 Century Code, relating to a license to carry a firearm or dangerous weapon concealed.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 1 of section 62.1-04-03 of the North Dakota  
5 Century Code is amended and reenacted as follows:

- 6 1. The director of the bureau of criminal investigation shall issue a license to carry a  
7 firearm or dangerous weapon concealed upon review of an application submitted to  
8 the director if the following criteria are met:
- 9 a. The applicant is at least twenty-one years of age for a class 1 firearm license or  
10 at least eighteen years of age for a class 2 firearm and dangerous weapon  
11 license;
- 12 b. The applicant can demonstrate that the applicant is a resident of this state by  
13 providing a copy of a valid driver's license or state-issued identification card from  
14 this state that establishes personal identification through photographic means  
15 and shows the applicant's name associated with a valid residential street address  
16 in this state or the applicant possesses a valid driver's license from the  
17 applicant's state of residence that establishes personal identification through  
18 photographic means and shows the applicant's name associated with a valid  
19 residential street address and a valid concealed weapons license from the  
20 applicant's state of residence, which state has reciprocity with this state under  
21 section 62.1-04-03.1;
- 22 c. The applicant is not an individual specified in section 62.1-02-01 and for a class 1  
23 firearm license the applicant:
- 24 (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~~three~~ 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)~~(4) Has not been convicted of an offense involving moral turpitude;

~~(6)~~(5) Has not been convicted of an offense involving domestic violence;

~~(7)~~(6) Has not been adjudicated by a state or federal court as mentally  
incompetent, unless the adjudication has been withdrawn or reversed; and

~~(8)~~(7) 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

- 1 danger to self or others, the bureau may inspect expunged or sealed records of  
2 arrests and convictions of adults and juvenile court records; and  
3 f. The applicant is not prohibited under federal law from owning, possessing, or  
4 having a firearm under that individual's control.

5 **SECTION 2. EXPIRATION DATE.** This Act is effective until the date the attorney general  
6 certifies to the legislative council that the enactment of section 1 impacts the reciprocity of  
7 class 1 firearm and dangerous weapons licenseholders carrying a concealed firearm or  
8 dangerous weapon in the state of Minnesota, and after that date is ineffective.

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee

Coteau AB Room, State Capitol

HB 1450

2/19/2021

Relating to a license to carry a firearm or dangerous weapon concealed
--

9:45 AM

Present: Representatives Porter, Damschen, Anderson, Bosch, Devlin, Heinert, Keiser, Lefor, Marschall, Roers Jones, M Ruby, Zubke, Guggisberg, and Ista.

### Discussion Topics:

- MN reciprocity

Rep Roers Jones #5671

Rep M Ruby moved the amendment (21.0948.01002), seconded by Rep Roers Jones. Voice vote, motion carried.


Rep M Ruby moved a Do Pass as Amended (21.0948.01002), seconded by Rep Roers

Jones.	Representatives	Vote
	Representative Todd Porter	Y
	Representative Chuck Damschen	Y
	Representative Dick Anderson	Y
	Representative Glenn Bosch	Y
	Representative Bill Devlin	Y
	Representative Ron Guggisberg	Y
	Representative Pat D. Heinert	Y
	Representative Zachary Ista	Y
	Representative George Keiser	Y
	Representative Mike Lefor	Y
	Representative Andrew Marschall	Y
	Representative Shannon Roers Jones	Y
	Representative Matthew Ruby	Y
	Representative Denton Zubke	Y

Motion carried. 14 – 0 – 0 Rep M Ruby is carrier.

9:49 AM hearing closed.

*Kathleen Davis, Committee Clerk*

  
2/19/21

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1450

Page 1, line 2, after "concealed" insert "; and to provide an expiration date"

Page 2, line 2, remove the overstrike over "~~Has not been convicted of an offense involving the use of alcohol within~~"

Page 2, line 2, after "ten" insert "three"

Page 2, remove the overstrike over line 3

Page 2, line 4, remove the overstrike over "~~(4)~~"

Page 2, line 7, remove the overstrike over "~~(5)~~"

Page 2, line 7, remove "~~(4)~~"

Page 2, line 8, remove the overstrike over "~~(6)~~"

Page 2, line 8, remove "~~(5)~~"

Page 2, line 9, remove the overstrike over "~~(7)~~"

Page 2, line 9, remove "~~(6)~~"

Page 2, line 11, remove the overstrike over "~~(8)~~"

Page 2, line 11, remove "~~(7)~~"

Page 3, after line 4, insert:

**"SECTION 2. EXPIRATION DATE.** This Act is effective until the date the attorney general certifies to the legislative council that the enactment of section 1 impacts the reciprocity of class 1 firearm and dangerous weapons licenseholders carrying a concealed firearm or dangerous weapon in the state of Minnesota, and after that date is ineffective."

Renumber accordingly



**REPORT OF STANDING COMMITTEE**

**HB 1450: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1450 was placed on the Sixth order on the calendar.

Page 1, line 2, after "concealed" insert "; and to provide an expiration date"

Page 2, line 2, remove the overstrike over "~~Has not been convicted of an offense involving the use of alcohol within~~"

Page 2, line 2, after "ten" insert "three"

Page 2, remove the overstrike over line 3

Page 2, line 4, remove the overstrike over "{4}"

Page 2, line 7, remove the overstrike over "{5}"

Page 2, line 7, remove "(4)"

Page 2, line 8, remove the overstrike over "{6}"

Page 2, line 8, remove "(5)"

Page 2, line 9, remove the overstrike over "{7}"

Page 2, line 9, remove "(6)"

Page 2, line 11, remove the overstrike over "{8}"

Page 2, line 11, remove "(7)"

Page 3, after line 4, insert:

**"SECTION 2. EXPIRATION DATE.** This Act is effective until the date the attorney general certifies to the legislative council that the enactment of section 1 impacts the reciprocity of class 1 firearm and dangerous weapons licenseholders carrying a concealed firearm or dangerous weapon in the state of Minnesota, and after that date is ineffective."

Renumber accordingly

21.0948.01002  
Title.

Prepared by the Legislative Council staff for  
Representative Roers Jones  
February 5, 2021

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1450

Page 2, line 2, remove the overstrike over "~~Has not been convicted of an offense involving the use of alcohol within~~ "

Page 2, line 2, overstrike "ten" and insert immediately thereafter "three"

Page 2, remove the overstrike over line 3

Page 2, line 4, remove the overstrike over "{4}"

Page 2, line 7, remove the overstrike over "{5}"

Page 2, line 7, remove "{4}"

Page 2, line 8, remove the overstrike over "{6}"

Page 2, line 8, remove "{5}"

Page 2, line 9, remove the overstrike over "{7}"

Page 2, line 9, remove "{6}"

Page 2, line 11, remove the overstrike over "{8}"

Page 2, line 11, remove "{7}"

Page 3, after line 4, insert:

**"SECTION 2. EXPIRATION DATE.** This Act is effective until the date the attorney general certifies to the legislative council that the enactment of section 1 impacts the reciprocity of class 1 firearm and dangerous weapons licenseholders carrying a concealed firearm or dangerous weapon in the state of Minnesota, and after that date is ineffective."

Renumber accordingly

**2021 SENATE JUDICIARY**

**HB 1450**

# 2021 SENATE STANDING COMMITTEE MINUTES

## Judiciary Committee Peace Garden Room, State Capitol

HB 1450  
4/6/2021

A BILL for an Act to amend and reenact subsection 1 of section 62.1-04-03 of the North Dakota Century Code, relating to a license to carry a firearm or dangerous weapon concealed; and to provide an expiration date.

Hearing called to order all Senators Present: **Myrdal, Luick, Dwyer, Bakke, Fors, Heitkamp, Larson.** [9:00]

### Discussion Topics:

- First Responder Safety
- First Amendment Protections

**Rep. Ben Koppelman**, R-West Fargo, provided testimony in favor [9:02]

**Brian Gosch**, NRA, provided testimony in favor [9:04]

**Senator Luick** Moved a DO PASS [9:08]

**Senator Myrdal** Seconded the Motion

Vote Passed 7-0-0

**Senator Fors** Carried the Bill

DO PASS ON HB 1450	Vote
Senator Diane Larson	Y
Senator Michael Dwyer	Y
Senator JoNell A. Bakke	Y
Senator Robert O. Fors	Y
Senator Jason G. Heitkamp	Y
Senator Larry Luick	Y
Senator Janne Myrdal	Y

### Additional written testimony:

**Timothy Swanson**, Crosby, ND, provided testimony in favor #11376

Hearing Adjourned [9:06]

*Jamal Omar, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1450, as engrossed: Judiciary Committee (Sen. Larson, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1450 was placed on the Fourteenth order on the calendar.

Chairman Larson and members of the Committee, thank you for the opportunity to provide my in favor testimony on 1450. My name is Timothy Swanson and I am a resident of Crosby, North Dakota where I serve my city and county as a full time Critical Care Paramedic.

In March of 2015 just months before my 21<sup>st</sup> birthday, I consumed alcohol and subsequently received a Minor in Consumption. I broke the law, did not contest the charge, and paid my dues to the court and society.

I have held a class 2 concealed weapons license since before I was charged with Minor in Consumption, I have purchased firearms, and I consistently exercise my right to carry a firearm. I continue to be a law-abiding citizen.

The class 1 concealed weapons license is functionally no different than the class 2 – I can carry the same weapons in the same places within North Dakota, I just do not have the same reciprocity. There is no reason someone with an alcohol offense who otherwise is a law-abiding citizen should be prevented from receiving a class 1 concealed weapons license if that criminal history does not preclude them from carrying in a reciprocal state.

Thank you,

Timothy Swanson