

**2021 HOUSE ENERGY AND NATURAL RESOURCES**

**HB 1463**

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Coteau AB Room, State Capitol

HB 1463  
1/28/2021

relating to possession of a concealed firearm or dangerous weapon

Chairman Porter opened the hearing at 11:03 AM.

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

### Discussion Topics:

- On duty specific training
- On duty firefighter or ambulance personnel
- Approved 80-hour course by private security board
- Training course of instruction
- Certification from owner or board of directors
- Letter to BCI
- Instructors certification

#4085 Rep Heinert, Dist 32

#4088 Justin Hagel, attorney, ND Private Investigative and Security Board

### Additional written testimony:

#4092 Steven Dirksen, Chief, Fargo Fire Department

Closed the hearing at 11:25 AM.

*Kathleen Davis, Committee Clerk*

Topics > Armed Paramedics



**Kerri Hatt**

Taking Care

## Paramedicine perspective: Arming EMTs, paramedics

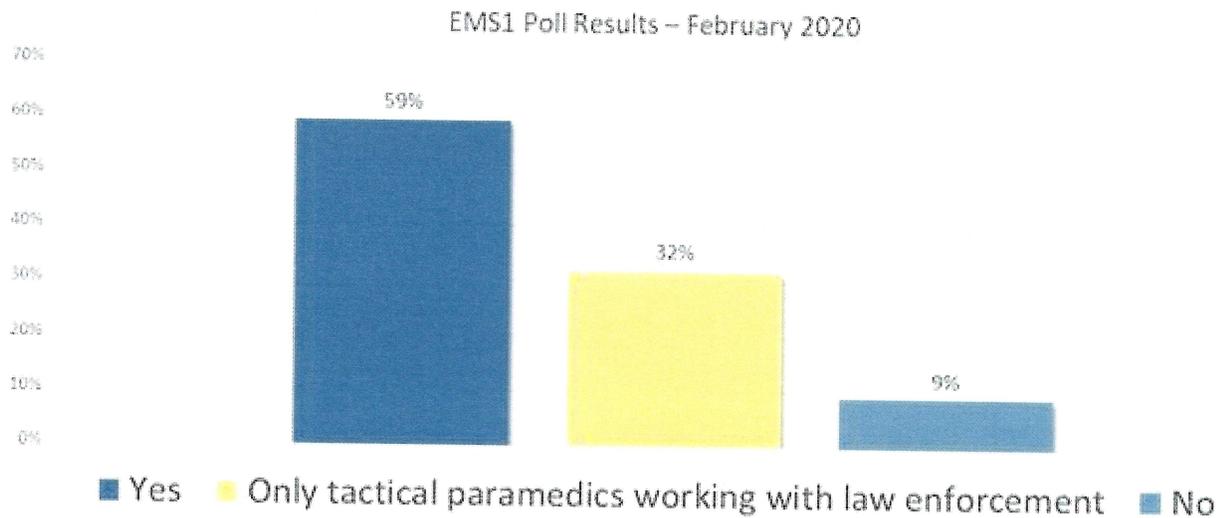
Readers respond, does on-duty concealed carry protect providers or threaten scene safety?

Today at 12:29 PM **DEC 2020**

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Arming medics has been a long contentious topic in EMS. The consensus on on-duty concealed carry has shifted substantially in recent years. In a [2017 EMS1 poll](#), just 9% of respondents believed EMS providers should be allowed to carry a gun on duty, as opposed to a [2020 poll](#), in which only 9% of respondents believed EMS providers should **NOT** be allowed to carry a gun on duty.

# Should paramedics be allowed to carry guns on duty?



Recently, two Arkansas paramedics responding to a reported orthopedic injury were [shot at the scene](#). One of the paramedics returned fire, killing the suspect. Both paramedics were [operated on and released](#).

We asked readers, "Should EMS and fire personnel be allowed to carry firearms on duty?" Here's a selection of the responses.

*The opinions below are those of the individual respondents and not representative of their employers.*

## **MAKE SAFE, ON-DUTY CONCEALED CARRY LEGITIMATE**

Yes, they should. With that said, agencies should have very solid policies in place to ensure that anyone who is carrying has had some predetermined level of training and is regularly deemed proficient. People should be able to protect themselves at all times. However, I don't think that this right should just be completely unrestricted. If a provider can legally carry a concealed firearm, has some level of advanced training (which would need to be determined obviously), and can prove proficiency regularly like a police officer has to, he/she should be able to exercise that right. The job of an EMS provider is incredibly dangerous. An innocuous call in western New York a number of years ago resulted in a gun being pulled on the EMS crew. One EMT was **shot and killed**. The others had no recourse but to hide and be scared that the murderer was going to find them. In my opinion, it is their right as a living creature to defend themselves through any means necessary.

The problem is that these providers are working for an employer and in a regulated field. I get that. I simply think that employers and regulators who make rules, regulations and laws should consider a person's innate right to protect their own lives and consider a culture that neither endorses nor condemns people for their decision. Instead, they should create a culture that simply requires those who decide to be able to protect themselves to have the training and mindset to do so safely.

I would contend that many of the EMS providers out there who have concealed carry permits already carry on-duty anyway. This is evidenced by the recent news story in which paramedics came under fire and one of them **drew his own weapon** and killed the attacker. Decision-makers should just make it legitimate by having policies which make sense.

— *Scott Bowman, BA, EMT-P, CACO, executive director, Valatie (New York) Rescue; and lieutenant, Albany County Sheriff's Office - EMS Division*

## 2 Ark. paramedics shot on duty, return fire, killing suspect

Officials say after a gunman shot two paramedics in the ambulance after an argument, one of the paramedics returned fire, killing the gunman

Dec 17, 2020

### Editor's Note:

The recent violent incidents in NYC and Arkansas are grim reminders that medics are regularly threatened, attacked and harmed by the people they have been called to assist. Read more about how EMS can anticipate and prepare for violent attacks in [this analysis by EMS1 Editorial Director Greg Freise, MS, NRP](#).

Arming the EMS and fire workforce has been a hot topic of debate. Please weigh in by answering the poll question: [Should EMS and fire personnel be allowed to carry firearms on duty?](#) If you would like your comments to be considered for inclusion in a future EMS1 article, [fill out a short form here to share your thoughts](#).

By Laura French

PINE BLUFF, Ark. — Two Arkansas paramedics were wounded in a shooting while responding to a medical call on Thursday.

Police say the medics were at a residence in Pine Bluff aiding a woman with knee pain when the patient's boyfriend, identified by authorities as Kevin Curl Jr., 22, approached them and began arguing with them, [according to the Arkansas Democrat-Gazette](#).

Curl was said to have pushed Paramedic John Spriggs Sr. who then reportedly punched Curl before Curl pulled out a firearm and shot both medics approximately three times in the chest, pelvic and abdominal areas, according to a police news release.

Authorities said Spriggs returned fire, striking Curl, who was later found dead inside the residence with a gunshot wound to the chest. Spriggs was found by officers lying on the ground next to the ambulance while Paramedic Joshua Godfrey, 35, was found sitting in the back of the ambulance. The paramedics were transported to the hospital to be treated for gunshot wounds. The female patient was also transported to the hospital.

The shooting is under investigation by Pine Bluff detectives.

Both paramedics work for Emergency Ambulance Service, Inc. (EASI), [according to Deltaplex News](#).

The Arkansas Ambulance Association released a statement on Facebook saying, "Our thoughts and prayers are with members of the EASI family in Pine Bluff this morning. At last report, the EMS personnel are in serious but stable condition following surgery.

### Read next: [The armed EMT](#)

Tags > [Armed Paramedics](#) • [Crime](#) • [EMS Assaults](#) • [EMS Assaults & Self Defense](#) • [Fatal Incidents](#) • [Police](#) • [Shooting](#)

### RECOMMENDED FOR YOU

◀ [Police: Cleveland EMS providers robbed at gunpoint by 3 juveniles](#) [Video: Wash. AMR ambulance destroyed in fire, patient arrested](#) [NJ EMTs accused of punishment in ambulance say it was](#) ▶

### JOIN THE DISCUSSION

Please [sign in](#) or [register](#) to write your own comments below.  
Before commenting, please read [EMS1's Commenting Policy](#)



Posted by **KEII** Dec 20, 2020 at 9:16 AM

Hope they both have a speedy recovery and no longterm health problems from the incident.

♥ 0



Posted by **bear186** Dec 19, 2020 at 10:34 PM

Huh... Didn't realize anyone still read P1.

♥ 0

Testimony of the North Dakota Private Investigative and Security Board (NDPISB)  
House Bill 1463  
House Energy and Natural Resources Committee  
January 28, 2021

Chairman Porter and members of the Committee, thank you for the opportunity to comment on House Bill 1463. My name is Justin Hagel and I am an attorney representing the North Dakota Private Investigative and Security Board, otherwise known as the NDPISB. On behalf of the NDPISB, my public testimony today is to advocate a "Do Not Pass" as to HB 1463 in its present form. The NDPISB would advocate for amendment to HB 1463 to address the NDPISB's role in providing a "weapons training course." I also hope to address any questions the Committee has on the bill.

#### **COMMENTS ON BILL DRAFT**

HB 1463 adds a subsection to N.D.C.C. § 62.1-02-05(2), which relates to possession of a firearm or dangerous weapon at a public gathering. As drafted, HB 1463 would add an exemption to N.D.C.C. § 62.1-02-05 to permit a person acting on behalf of an ambulance crew or firefighter crew to possess a concealed weapon, so long as that person meets the requirements outlined in HB 1463. One of those requirements states "[t]he individual has successfully completed a weapons training course developed by the North Dakota private investigative and security board."

The NDPISB's testimony is specific to this requirement. On this issue, the NDPISB raises two concerns: (1) is the NDPISB the appropriate certifying agency to create a weapons training program, and if so; (2) a request for amendment to permit the NDPISB the power to certify instructors, audit the course, and set fees to defray costs associated with administration of the program.

#### **I. Appropriate Certifying Agency.**

The NDPISB currently provides licensure, certification and registration for persons providing private investigative services, private security services, and armed security and investigative services. As it relates to armed personnel, the NDPISB requires a person complete the same requirements for firearms training presently required by North Dakota peace officers. This includes passing a written examination and shooting course. See N.D.A.C. 93-02-01.1-05 and 93-02-02.1-08. The NDPISB currently does not have a separate weapons training course, and utilizes the peace officers standards.

During the last legislative session, the North Dakota Legislature passed HB 1332, creating the "Armed First Responders in Schools" program. HB 1332 granted the NDPISB the authority to create an armed first responder training program modeled on the South Dakota "Sentinel" program which trains and certifies armed first responders in schools.

The NDPISB drafted a proposed administrative rule creating a certification process for armed first responder instructors. During that process, the Board identified some issues of concern regarding the statutory framework of the Armed First Responders program. Specifically, HB 1332 did not give the NDPISB authority to certify or license course instructors, grant the power to audit the course, did not permit the NDPISB to assess any fee for licensing or certification, and potentially limited the approved course curriculum which could be set by the Board. In response, the NDPISB introduced SB 2096 in the present legislative session to address those issues.

The NDPISB anticipates HB 1463 would raise similar concerns as to the authority NDPISB has in certifying or licensing course instructors, auditing of the course, and assessing fees to defray any cost of the course. However, if it is the intent of the authors of HB 1463 to have equivalent licensing requirements as those required by North Dakota peace officers, the NDPISB would inquire as to whether the proper agency to develop a weapons training course would be the North Dakota Law Enforcement Training Academy, which provides training for licensed law enforcement officers, or the North Dakota Bureau of Criminal Investigation, which has licensing authority over concealed firearms and weapons.

The NDPISB serves as the administrative agency tasked with regulation of the private investigation and private security industry within the State of North Dakota. HB 1463 would expand the NDPISB's jurisdiction to employees or volunteers of political subdivisions or non-profit entities providing emergency services within the State of North Dakota. For medical or fire events, first responders to those events face similar conditions as a North Dakota peace officer. The NDPISB's position is that any such person carrying a concealed weapon to a medical or fire emergency that anticipates using the weapon should receive training equivalent to a North Dakota peace officer appearing at the scene of the event. The NDPISB does not have the present capacity to provide the training expected under HB 1463. The North Dakota Law Enforcement Training Academy or the North Dakota Bureau of Criminal Investigation are more appropriate agencies to provide the training necessary for those events based on the training provided to North Dakota peace officers.

## **II. NDPISB Authority to Certify Course Instructors, Audit, and Set Fees.**

If HB 1463 is enacted as currently drafted, and requires the NDPISB develop a weapons training course, the NDPISB would request an amendment to HB 1463 to permit it the authority to license course instructors, audit courses to verify course attendance, course compliance and course curriculum, and fee setting authority to defray the NDPISB's costs in licensing course instructors.

Similar to concerns the NDPISB raised in its submission of SB 2096 this session, the NDPISB would request authority to certify and regulate instructors teaching the weapons training course. Certification would verify the course instructor is qualified to teach a weapons training course based on the person's experience, knowledge and skill, as well as permits the NDPISB the ability to regulate and discipline through decertification any instructor found to have failed to adequately instruct applicants of the proposed weapons

training course. Absent certification authority, the NDPISB would be limited to providing only a course curriculum to potential instructors and students without any ability to determine if an instructor is competent to provide instruction.

The NDPISB would also request authority to audit any weapons training course developed by the NDPISB. For similar reasons in requesting certification of instructors, the NDPISB's auditing of courses would verify the course curriculum developed by the NDPISB is actually being taught by course instructors, that students are attending the course, and the NDPISB can verify completion of the course and passing scores for any tests required.

As part of certifying course instructors and auditing courses, the NDPISB would seek fee setting authority to defray the NDPISB's costs in administrating the weapons training program. The NDPISB does not receive direct appropriations from the State of North Dakota. The NDPISB operates utilizing the licensing, certification and registration fees it receives from the private investigative and private security industry. To prevent any possible cost overruns, the NDPISB would request amendment to HB 1463 to permit the NDPISB the power to set a fee for certifying course instructors of the weapons training program to defray its expected costs in administrating the program.

The NDPISB reiterates its "Do Not Pass" recommendation, and appreciates the Committee's time and attention in considering this matter. I am available for any questions the Committee may have.



Justin Hagel,

Legal Counsel, North Dakota Private Investigative and Security Board.

Good Morning Representatives Guggisberg, Marshall, and Roers Jones,

The City of Fargo is experiencing internet connection issues this morning. I am not sure if I will be able to testify virtually regarding HB 1463.

I am writing to oppose HB 1163. Allowing firefighters to carry a weapon while on duty is not the image of a firefighter that I want to portray in our community. We have well trained law enforcement officers in our community.

HB 1463 requires an individual to successfully complete weapons training. I don't believe the group that provides that training has been consulted to ensure they have the resources to meet this requirement.

As the Fire Chief in Fargo, this bill places a burden on me to provide BCI with a list of people who are authorized or no longer authorized to carry while on duty. I would also be required to certify that all training and certification requirements are met.

Firefighters and EMS personnel have a significant amount of training that is required annual to maintain proficiency to provide a high level of service to their respective communities. Law enforcement officers are provided with training on the use of force and incident de-escalation that are not required of Firefighters and EMT's. The Fargo Fire Department does not have the time nor the resources to ensure that employees who would desire to carry a weapon are trained and maintain proficiency required.

I don't believe there has been consideration to the effects on a fire department or the community should a firefighter make the decision to discharge a weapon while on duty. I believe that allowing to carry a dangerous weapon while on duty will open up communities, fire departments, and fire chiefs to liability should a weapon be discharged while on duty. You see it already in law enforcement each time they discharge their *service* weapon.

I am also concerned with the security of the weapons while employees are engaged in firefighting activities. Carrying a weapon has the almost certain effect of delaying firefighters in engaging in their duties. Most of our apparatus are not able to be locked, and if they are able to be locked firefighters will need to secure the weapon before engaging in those activities. If this is allowed I know the first thing that will be asked for is to provide a secure box on each fire apparatus to store the weapons.

The last item that of concern is what happens when a weapon is stolen or misplaced while on duty? Is the fire department liable should that weapon be used in a crime?

I am an ardent supporter of the 2<sup>nd</sup> Amendment and a gun owner myself. I just don't believe there is a need for this legislation and that carrying weapons for public safety should be left to those who are trained to do so, Law Enforcement.

I ask that you please vote no on this bill.

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Coteau AB Room, State Capitol

HB 1463  
2/4/2021

relating to possession of a concealed firearm or dangerous weapon

### 3:42 PM

Chairman Heinert opened the committee hearing.

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

### Discussion Topics:

- Trainers
- Waiting for the Senate bill

### 3:44 PM

*Kathleen Davis, Committee Clerk*

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee

Coteau AB Room, State Capitol

HB 1463 SUBCOMMITTEE

2/5/2021

relating to possession of a concealed firearm or dangerous weapon

### 11:05 AM

Chairman Heinert opened the committee hearing.

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

### Discussion Topics:

- Similar Senate bill
- Securities board approval
- Local control
- Training requirements
- Annual notification

### Additional written testimony:

Rep Heinert- amendment 21.0917.02002 #5667

### 11:15 AM

*Kathleen Davis, Committee Clerk*

Sixty-seventh  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1463**

Introduced by

Representatives Heinert, Howe, Meier, Pyle, M. Ruby

Senators Larson, Myrdal, Bell

A BILL for an Act to create and enact a new subsection to section 43-30-16 of the North Dakota Century Code, relating to application and renewal fees for armed first responder course instructor certification; to create and enact a new subdivision to subsection 2 of section 62.1-02-05 of the North Dakota Century Code, relating to possession of a concealed firearm or dangerous weapons; and to amend and reenact subsection 7 of section 62.1-02-14 of the North Dakota Century Code, relating to licensing of instructors of armed first responders in schools.

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

**SECTION 1.** A new subsection to section 43-30-16 of the North Dakota Century Code is created and enacted as follows:

The initial application fee for a certified course instructor for an armed first responder training certification may not exceed four hundred dollars. A fee for renewal of a course instructor certification for an armed first responder program may not exceed three hundred dollars.

**SECTION 12.** A new subdivision to subsection 2 of section 62.1-02-05 of the North Dakota Century Code is created and enacted as follows:

An individual who is on an ambulance or firefighter crew while the individual is on duty if:

- (1) The individual has written permission from the governing body or owner of the fire department or ambulance service;
- (2) The individual possesses a valid class 1 concealed weapons license;

- (3) The individual has successfully completed ~~a weapons training course~~ developed by the North Dakota private investigative and security board equivalent to training required under N.D.C.C. § 62.1-02-14(7); and
- (4) The governing body or owner of the fire department or ambulance crew provides written notice to the bureau of criminal investigation of the individuals authorized or no longer authorized to carry a firearm or dangerous weapons under this section, including that all training and certification requirements have been satisfied.

**SECTION 3. AMENDMENT.** Subsection 7 of section 62.1-02-14 of the North Dakota Century Code is amended and reenacted as follows:

7. The plan submitted by the school to the superintendent of public instruction must require the select individual to complete ~~training equivalent to the South Dakota school sentinel program as established on August 1, 2019, or complete the course~~ established by the private investigative and security board. The private investigative and security board shall establish standards equivalent to the South Dakota school sentinel program and may license and certify course instructors, audit the course, and set administrative fees for licensure and certification.

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Coteau AB Room, State Capitol

HB 1463  
2/11/2021

relating to possession of a concealed firearm or dangerous weapon

### 10:51 AM

Chairman Heinert opened the committee hearing.

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

### Discussion Topics:

- .02001 Amendment

Rep M Ruby moved a favorable recommendation on amendments. Rep Guggisberg.

<b>Representatives</b>	<b>Vote</b>
Representative Pat D. Heinert	Y
Representative Dick Anderson	Y
Representative Shannon Roers Jones	Y
Representative Matthew Ruby	Y
Representative Ron Guggisberg	Y

Motion carried. 5 – 0

### Additional written testimony:

Rep Heinert- amendments #6405, #6406

### 10:56 AM

*Kathleen Davis, Committee Clerk*

21.0917.02001  
Title.

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

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1463

Page 1, line 1, after "enact" insert "a new subsection to section 43-30-16 and"

Page 1, line 2, after "to" insert "application and renewal fees for armed first responder course instructor certification and"

Page 1, line 3, after "weapon" insert "; and to amend and reenact subsection 7 of section 62.1-02-14 of the North Dakota Century Code, relating to licensing of instructors of armed first responders in schools"

Page 1, after line 4, insert:

**"SECTION 1.** A new subsection to section 43-30-16 of the North Dakota Century Code is created and enacted as follows:

The initial application fee for a certified course instructor for an armed first responder training certification may not exceed four hundred dollars. A fee for renewal of a course instructor certification for an armed first responder program may not exceed three hundred dollars."

Page 1, after line 18, insert:

**"SECTION 3. AMENDMENT.** Subsection 7 of section 62.1-02-14 of the North Dakota Century Code is amended and reenacted as follows:

7. The plan submitted by the school to the superintendent of public instruction must require the selected individual to complete ~~training equivalent to the South Dakota school sentinel program as established on August 1, 2019,~~ or complete the course established by the private investigative and security board. The private investigative and security board shall establish standards equivalent to the South Dakota school sentinel program and may license and certify course instructors, audit the course, and set administrative fees for licensure and certification."

Renumber accordingly

21.0917.02001

Sixty-seventh  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1463**

Introduced by

Representatives Heinert, Howe, Meier, Pyle, M. Ruby

Senators Larson, Myrdal, Bell

1 | A BILL for an Act to create and enact a new subsection to section 43-30-16 and a new  
2 | subdivision to subsection 2 of section 62.1-02-05 of the North Dakota Century Code, relating to  
3 | application and renewal fees for armed first responder course instructor certification and  
4 | possession of a concealed firearm or dangerous weapon; and to amend and reenact  
5 | subsection 7 of section 62.1-02-14 of the North Dakota Century Code, relating to licensing of  
6 | instructors of armed first responders in schools.

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

8 | **SECTION 1.** A new subsection to section 43-30-16 of the North Dakota Century Code is  
9 | created and enacted as follows:

10 | The initial application fee for a certified course instructor for an armed first responder  
11 | training certification may not exceed four hundred dollars. A fee for renewal of a  
12 | course instructor certification for an armed first responder program may not exceed  
13 | three hundred dollars.

14 | **SECTION 2.** A new subdivision to subsection 2 of section 62.1-02-05 of the North Dakota  
15 | Century Code is created and enacted as follows:

16 | An individual who is on an ambulance or firefighter crew while the individual is on  
17 | duty if:

- 18 | (1) The individual has written permission from the governing body or owner of  
19 | the fire department or ambulance service;
- 20 | (2) The individual possesses a valid class 1 concealed weapons license;
- 21 | (3) The individual has successfully completed a weapons training course  
22 | developed by the North Dakota private investigative and security board; and
- 23 | (4) The governing body or owner of the fire department or ambulance crew  
24 | provides written notice to the bureau of criminal investigation of the

1 individuals authorized or no longer authorized to carry a firearm or  
2 dangerous weapon under this section, including that all training and  
3 certification requirements have been satisfied.

4 **SECTION 3. AMENDMENT.** Subsection 7 of section 62.1-02-14 of the North Dakota  
5 Century Code is amended and reenacted as follows:

- 6 7. The plan submitted by the school to the superintendent of public instruction must  
7 require the selected individual to complete ~~training equivalent to the South Dakota~~  
8 ~~school sentinel program as established on August 1, 2019, or complete~~ the course  
9 established by the private investigative and security board. The private investigative  
10 and security board shall establish standards equivalent to the South Dakota school  
11 sentinel program and may license and certify course instructors, audit the course, and  
12 set administrative fees for licensure and certification.

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Coteau AB Room, State Capitol

HB 1463  
2/19/2021

relating to possession of a concealed firearm or dangerous weapon

Chairman Porter opened the hearing at **9:50 AM**.

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

### Discussion Topics:

- Armed first responders
- Training
- Fees
- Renewal
- SD training standards
- 02002 drafted by outside attorney
- 02001 amendment by LC

Rep Heinert – Amendment #6406 (02001), Amendment #5667 (02002)

Rep D Anderson moved to adopt the amendment 02002, seconded by Rep M Ruby. Voice vote, motion carried.

Rep D Anderson moved the passage of HB 1463 with 02002. seconded by Rep Guggisberg. Rep D Anderson moved to withdraw his motion, seconded by Rep Guggisberg.

Rep. D Anderson moved to amendment 02001, seconded by Rep Ruby. Voice vote, motion carried.

Rep D Anderson moved a Do Pass as Amended 02001, seconded by Rep Guggisberg.

<b>Representatives</b>	<b>Vote</b>
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	N
Representative Mike Lefor	Y

Representative Andrew Marschall	Y
Representative Shannon Roers Jones	Y
Representative Matthew Ruby	Y
Representative Denton Zubke	Y

Motion carried. 13 – 1 – 0 Rep D Anderson is carrier.

9:57 am hearing closed.

*Kathleen Davis, Committee Clerk*

February 5, 2021

Dr 2/19/21  
1 of 1

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1463

Page 1, line 1, after "enact" insert "a new subsection to section 43-30-16 and"

Page 1, line 2, after "to" insert "application and renewal fees for armed first responder course instructor certification and"

Page 1, line 3, after "weapon" insert "; and to amend and reenact subsection 7 of section 62.1-02-14 of the North Dakota Century Code, relating to licensing of instructors of armed first responders in schools"

Page 1, after line 4, insert:

**"SECTION 1.** A new subsection to section 43-30-16 of the North Dakota Century Code is created and enacted as follows:

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Page 1, after line 18, insert:

**"SECTION 3. AMENDMENT.** Subsection 7 of section 62.1-02-14 of the North Dakota Century Code is amended and reenacted as follows:

7. The plan submitted by the school to the superintendent of public instruction must require the selected individual to complete training equivalent to the ~~South Dakota school sentinel program as established on August 1, 2019,~~ or complete the course established by the private investigative and security board. The private investigative and security board shall establish standards equivalent to the South Dakota school sentinel program and may license and certify course instructors, audit the course, and set administrative fees for licensure and certification."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1463: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1463 was placed on the Sixth order on the calendar.

Page 1, line 1, after "enact" insert "a new subsection to section 43-30-16 and"

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Renumber accordingly

21.0917.02001

Sixty-seventh  
Legislative Assembly  
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16 | An individual who is on an ambulance or firefighter crew while the individual is on  
17 | duty if:

- 18 | (1) The individual has written permission from the governing body or owner of  
19 | the fire department or ambulance service;
- 20 | (2) The individual possesses a valid class 1 concealed weapons license;
- 21 | (3) The individual has successfully completed a weapons training course  
22 | developed by the North Dakota private investigative and security board; and
- 23 | (4) The governing body or owner of the fire department or ambulance crew  
24 | provides written notice to the bureau of criminal investigation of the

1 individuals authorized or no longer authorized to carry a firearm or  
2 dangerous weapon under this section, including that all training and  
3 certification requirements have been satisfied.

4 **SECTION 3. AMENDMENT.** Subsection 7 of section 62.1-02-14 of the North Dakota  
5 Century Code is amended and reenacted as follows:

- 6 7. The plan submitted by the school to the superintendent of public instruction must  
7 require the selected individual to complete ~~training equivalent to the South Dakota~~  
8 ~~school sentinel program as established on August 1, 2019, or complete~~ the course  
9 established by the private investigative and security board. The private investigative  
10 and security board shall establish standards equivalent to the South Dakota school  
11 sentinel program and may license and certify course instructors, audit the course, and  
12 set administrative fees for licensure and certification.

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Sixty-seventh  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1463**

Introduced by

Representatives Heinert, Howe, Meier, Pyle, M. Ruby

Senators Larson, Myrdal, Bell

A BILL for an Act to create and enact a new subsection to section 43-30-16 of the North Dakota Century Code, relating to application and renewal fees for armed first responder course instructor certification; to create and enact a new subdivision to subsection 2 of section 62.1-02-05 of the North Dakota Century Code, relating to possession of a concealed firearm or dangerous weapons; and to amend and reenact subsection 7 of section 62.1-02-14 of the North Dakota Century Code, relating to licensing of instructors of armed first responders in schools.

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

**SECTION 1.** A new subsection to section 43-30-16 of the North Dakota Century Code is created and enacted as follows:

The initial application fee for a certified course instructor for an armed first responder training certification may not exceed four hundred dollars. A fee for renewal of a course instructor certification for an armed first responder program may not exceed three hundred dollars.

**SECTION 12.** A new subdivision to subsection 2 of section 62.1-02-05 of the North Dakota Century Code is created and enacted as follows:

An individual who is on an ambulance or firefighter crew while the individual is on duty if:

- (1) The individual has written permission from the governing body or owner of the fire department or ambulance service;
- (2) The individual possesses a valid class 1 concealed weapons license;

- (3) The individual has successfully completed ~~a weapons training course~~ developed by the North Dakota private investigative and security board equivalent to training required under N.D.C.C. § 62.1-02-14(7); and
- (4) The governing body or owner of the fire department or ambulance crew provides written notice to the bureau of criminal investigation of the individuals authorized or no longer authorized to carry a firearm or dangerous weapons under this section, including that all training and certification requirements have been satisfied.

**SECTION 3. AMENDMENT.** Subsection 7 of section 62.1-02-14 of the North Dakota Century Code is amended and reenacted as follows:

7. The plan submitted by the school to the superintendent of public instruction must require the select individual to complete ~~training equivalent to the South Dakota school sentinel program as established on August 1, 2019, or complete the course~~ established by the private investigative and security board. The private investigative and security board shall establish standards equivalent to the South Dakota school sentinel program and may license and certify course instructors, audit the course, and set administrative fees for licensure and certification.

**2021 SENATE JUDICIARY**

**HB 1463**

# 2021 SENATE STANDING COMMITTEE MINUTES

**Judiciary Committee**  
Peace Garden Room, State Capitol

HB 1463  
4/5/2021

A BILL for an Act to create and enact a new subsection to section 43-30-16 and a new subdivision to subsection 2 of section 62.1-02-05 of the North Dakota Century Code, relating to application and renewal fees for armed first responder course instructor certification and possession of a concealed firearm or dangerous weapon; and to amend and reenact subsection 7 of section 62.1-02-14 of the North Dakota Century Code, relating to licensing of instructors of armed first responders in schools.

Hearing called to order all Senators Present: **Myrdal, Luick, Dwyer, Bakke, Fors, Heitkamp, Larson. [9:30]**

**Discussion Topics:**

- **Armed Personnel in Schools**
- **Qualifications to be armed**

**Rep. Pat Heinert**, R-Bismarck provided testimony in favor [9:30]

**Justin Hagel**, Private Investigators Board, provided neutral testimony #11332 [9:45]

**Senator Dwyer** Moved a DO PASS [9:49]

**Senator Myrdal** Seconded the Motion

Vote Passed 6-1-0

**Senator Bakke** Carried the Bill

<b>DO PASS On HB 1463</b>	<b>Vote</b>
Senator Diane Larson	Y
Senator Michael Dwyer	Y
Senator JoNell A. Bakke	Y
Senator Robert O. Fors	N
Senator Jason G. Heitkamp	Y
Senator Larry Luick	Y
Senator Janne Myrdal	Y

Hearing Adjourned [9:50]

*Jamal Omar, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1463, as engrossed: Judiciary Committee (Sen. Larson, Chairman)** recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1463 was placed on the Fourteenth order on the calendar.

Testimony of the North Dakota Private Investigative and Security Board (NDPISB)  
House Bill 1463  
Senate Judiciary Committee  
April 5, 2021

Chairman Larson and members of the Committee, thank you for the opportunity to comment on House Bill 1463. My name is Justin Hagel and I am an attorney representing the North Dakota Private Investigative and Security Board, otherwise known as the NDPISB. On behalf of the NDPISB, my public testimony today is neutral as to House Bill 1463 in its present form. The NDPISB's only specific concern regarding House Bill 1463 is its incorporation of identical legislative text found in the NDPISB's Senate Bill 2096, which has passed the North Dakota Legislature and been signed by the Governor. The NDPISB would advocate for no amendments to House Bill 1463 in its present form which would alter language enacted in Senate Bill 2096. I also hope to address any questions the Committee has on the bill.

/s/ Justin Hagel,

Legal Counsel, North Dakota Private Investigative and Security Board.