



1 **HB 1339 – Relating to Dangerous Weapons and Public Gatherings.**

2 **February 15, 2021**

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

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

21 Another concern of ours is the removal of athletic or sporting event and the addition of building
22 on page 2 line 7. With the removal of athletic or sporting events and adding the word building
23 behind school this would make it legal for individuals, even some students, to carry a firearm or
24 dangerous weapon on school grounds. The addition of the word building would make it an
25 infraction if they carried it into school, but they could have it at the football game, soccer match,
26 track, etc. It would be allowed anywhere outside of the building. We would have numerous
27 concerns with this language as we did with the language of HB 1311. A school has more property
28 than just the building. We would request that the amendment that was discussed with a seminal
29 bill also be utilized with this one: Public Gathering would include any school sponsored or
30 sanctioned events. However, I am still not sure that would allow the school to ban those items, if
31 the local board so chooses. It would only take place during a “Public Gathering”. The question is
32 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.