

**2013 HOUSE ENERGY AND NATURAL RESOURCES**

**HB 1354**

# 2013 HOUSE STANDING COMMITTEE MINUTES

House Energy and Natural Resources

Pioneer Room, State Capital

HB 1354  
February 1, 2013  
18132

Conference Committee

*Emineth*

Relating to special deer licenses

**Minutes:**

1-2 Attachment

Rep. Porter: We will open the hearing on HB 1354.

Rep. Overson: I am here to briefly present to you HB 1354 and 2 people that will give you more information. This was formally known as the Wounded Warrior Project and this year they are asking for a few changes to the project. They are changing the name to the Injured Military Wildlife Project of N.D. and are asking for an increase from 4 deer tags and are changing the season to be the bow season.

Lynn Gedson: I work with the Dunn county sheriff's office; I came 2 years ago when we started this program. The program was very well received in 2011 we had 2 hunters in 2012 we increased to 4 hunters they were all successful. When I went to the Secretary of the State's Office I found out that it was a corporation and so any money that got donated to us we would have to send to them and then they would donate to us as they saw fit. Most of the people wanted the money to stay here so we started over I contacted an attorney who was working with us in Bismarck to do that. We changed the name to the Injured Military Wildlife Project of N.D. in order to keep our money here in N.D. The board that meets once a month does not get any money.

Rep. Porter: With the mule deer population in western N. D. Did you discuss with your organization the 6 additional tags being white tail only? Or did you want only mule deer tags?

Lynn Gedson: We would give them the option to take either the white tail or the mule deer.

Rep. Porter: Then we wouldn't have a problem with us limiting the number of the any deer license and then adding the total number to 10.

Lynn Gedson: I would not have a problem with that.

Rep. Nathe: Would all four tags filled?

Lynn Gedson: Yes they were.

Bill Schaller: Vice-President of the Injured Military Wildlife Project of ND; the licenses could be limited to white tail only or any only. The other thing is the season which was from the youth until the end of deer season we would like to change that to the bow season (Attachment 1)

Rep. Kesiser: Could you share with us how your group approaches and defines "injured"?

Bill Schaller: We don't have a standard definition. We take into account all of the service men's injuries. We don't have any set regulations.

Rep. Keiser: Have you considered those who have received a purple heart get priority?

Bill Schaller: We have not come to that point yet. I did contact someone from the Purple Heart Association in Bismarck and at this point we don't have a lot of candidates.

Rep. Kelsh: Does the military injury include PDS?

Bill Schaller: Yes I think they do classify that as an injury. At this time we are not seeking out anyone with PDS.

Rep. Porter: Are you aware of the mule deer situation in western N.D. Is there any issue with limiting the number to any deer and then restricting the others white tail only?

Bill Schaller: Some of the problem is that the mule deer are easier to hunt.

Rep. Keiser: Do you need 10 tags?

Bill Schaller: We hope to in the next couple of years.

Rep. Porter: We will close the hearing on HB 1354

Included also testimony from Mike Donahue.

# 2013 HOUSE STANDING COMMITTEE MINUTES

House Energy and Natural Resources

Pioneer Room, State Capital

HB 1354  
February 1, 2013  
18149

Conference Committee

*Emineth*

Relating to special deer licenses.

**Minutes:**

Rep Porter: We will open HB 1354.

Rep. Nathe: I would like to propose an amendment; page 2 line15, the proposed bill has 10 any deer licenses. I would like to change that to 6 any whitetail deer licenses.

Rep. Porter: We have a second from Rep Silbernagel. Voice vote carried. We have an amended bill. Rep. Nathe has a do pass as amended to HB1354 seconded by Rep. Silbernagel. Motion carried

Yes 13 No 0 Absent. 0 carrier; Rep. Hunskor

**FISCAL NOTE**  
**Requested by Legislative Council**  
**01/18/2013**

Bill/Resolution No.: HB 1354

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

|                | 2011-2013 Biennium |             | 2013-2015 Biennium |             | 2015-2017 Biennium |             |
|----------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
|                | General Fund       | Other Funds | General Fund       | Other Funds | General Fund       | Other Funds |
| Revenues       |                    |             |                    | \$(240)     |                    | \$(240)     |
| Expenditures   |                    |             |                    |             |                    |             |
| Appropriations |                    |             |                    |             |                    |             |

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

|                  | 2011-2013 Biennium | 2013-2015 Biennium | 2015-2017 Biennium |
|------------------|--------------------|--------------------|--------------------|
| Counties         |                    |                    |                    |
| Cities           |                    |                    |                    |
| School Districts |                    |                    |                    |
| Townships        |                    |                    |                    |

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The bill amendment increases the # of special licenses; changes "wounded warrior project" to "injured military wildlife project of North Dakota"; and changes when the special license is valid.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

This bill amendment has a minimal negative fiscal impact on our revenue because it is only increasing the number of special deer licenses available to the injured military wildlife project of North Dakota from 4 licenses to 10 licenses.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The increase in the number of free special licenses from 4 to 10 will decrease revenue by \$120 (\$20 x6) per year. Total revenue decrease for the biennium is \$240.

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

None anticipated.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

None anticipated.



**Name:** Kim Molesworth

**Agency:** ND Game and Fish Dept

**Telephone:** 328-6605

**Date Prepared:** 01/22/2013



13.0691.01001  
Title.02000

Adopted by the Energy and Natural Resources  
Committee

February 1, 2013

2/1/13  
TD

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1354

Page 2, line 15, replace "ten" with "four"

Page 2, line 15, after "licenses" insert "and six any white-tailed deer licenses"

Renumber accordingly

Date: 2-1-2013  
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1354

House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken \_\_\_\_\_

Motion Made By Nathe Seconded By Silbernagel

| Representatives              | Yes | No | Representatives   | Yes | No |
|------------------------------|-----|----|-------------------|-----|----|
| Chairman Todd Porter         |     |    | Rep. Bob Hunsakor |     |    |
| Vice Chairman Chuck Damschen |     |    | Rep. Scot Kelsh   |     |    |
| Rep. Jim Schmidt             |     |    | Rep. Corey Mock   |     |    |
| Rep. Glen Froseth            |     |    |                   |     |    |
| Rep. Curt Hofstad            |     |    |                   |     |    |
| Rep. Dick Anderson           |     |    |                   |     |    |
| Rep. Peter Silbernagel       |     |    |                   |     |    |
| Rep. Mike Nathe              |     |    |                   |     |    |
| Rep. Roger Brabandt          |     |    |                   |     |    |
| Rep. George Keiser           |     |    |                   |     |    |
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|                              |     |    |                   |     |    |

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

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



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

2013 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1354

House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Rep. Hunskor

Motion Made By Rep. Nathe Seconded By Rep. Silbernagel

| Representatives              | Yes | No | Representatives  | Yes | No |
|------------------------------|-----|----|------------------|-----|----|
| Chairman Todd Porter         | ✓   |    | Rep. Bob Hunskor | ✓   |    |
| Vice Chairman Chuck Damschen | ✓   |    | Rep. Scot Kelsh  | ✓   |    |
| Rep. Jim Schmidt             | ✓   |    | Rep. Corey Mock  | ✓   |    |
| Rep. Glen Froseth            | ✓   |    |                  |     |    |
| Rep. Curt Hofstad            | ✓   |    |                  |     |    |
| Rep. Dick Anderson           | ✓   |    |                  |     |    |
| Rep. Peter Silbernagel       | ✓   |    |                  |     |    |
| Rep. Mike Nathe              | ✓   |    |                  |     |    |
| Rep. Roger Brabandt          | ✓   |    |                  |     |    |
| Rep. George Keiser           | ✓   |    |                  |     |    |
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Total (Yes) 13 No 0

Absent 0

Floor Assignment Rep. Hunskor

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

*Do pass as amended*

**REPORT OF STANDING COMMITTEE**

**HB 1354: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1354 was placed on the Sixth order on the calendar.

Page 2, line 15, replace "ten" with "four"

Page 2, line 15, after "licenses" insert "and six any white-tailed deer licenses"

Renumber accordingly

**2013 SENATE NATURAL RESOURCES**

**HB 1354**

# 2013 SENATE STANDING COMMITTEE MINUTES

## Senate Natural Resources Committee Fort Lincoln Room, State Capitol

HB 1354  
March 7, 2013  
Job Number 19598

Conference Committee

*Veronica Spurling*

### Explanation or reason for introduction of bill/resolution:

Relating to special deer licenses.

### Minutes:

attachments

**Chairman Lyson** opened the hearing on engrossed HB 1354.

**Rep. Kylie Overson**, District 42, introduced HB 1354. He distributed written testimony from John Jacobsen, a member of the Legislative Committee of the ND Veterans Coordinating Council. See attachment #1. This bill allocates deer tags to an organization once known as the Wounded Warrior Project and administers the tags to our injured veterans. They are asking for 10 deer tags and they are asking to change the timelines of the allowed hunt to coincide with the regular bow season. They are changing the name of the local group to the Injured Military Wildlife Project of North Dakota.

**Glen Gietzen**, Injured Military Wildlife Project of ND, spoke about the history of the Wounded Warriors in ND and why they needed to make a break from that organization. He talked about the differences between the new project and the Wounded Warriors. The hand-picked board of directors has never accepted any money for what they do. The main goal of their board is to help wounded warriors and he gave examples.

**Tyler Hiltner**, a disabled veteran, talked about his military experience, his injury, and his discharge. He told about his experience with the Injured Military Wildlife Project and the hunt he was able to go on. He praised the group and Mr. Gietzen for the work they do.

**Kim Molesworth**, ND Game and Fish Dept., offered their support for this bill.

**Mike Donahue**, ND Wildlife Federation, offered support and asked for a do pass.

The hearing on HB 1354 was closed.

**Sen. Murphy** moved a **Do Pass** on engrossed **HB 1354**. Seconded by **Sen. Burckhard**.

Roll call vote 7-0-0. **Motion carried**. Carrier is **Sen. Murphy**. Attachment #2 was submitted after the hearing.

**FISCAL NOTE**  
**Requested by Legislative Council**  
**02/05/2013**

Amendment to: HB 1354

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

|                | 2011-2013 Biennium |             | 2013-2015 Biennium |             | 2015-2017 Biennium |             |
|----------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
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| Revenues       |                    |             |                    | \$(240)     |                    | \$(240)     |
| Expenditures   |                    |             |                    |             |                    |             |
| Appropriations |                    |             |                    |             |                    |             |

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

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- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

None anticipated.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

None anticipated.

**Name:** Kim Molesworth

**Agency:** ND Game and Fish Dept

**Telephone:** 328-6605

**Date Prepared:** 02/05/2013

**FISCAL NOTE**  
**Requested by Legislative Council**  
**01/18/2013**

Bill/Resolution No.: HB 1354

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

|                | 2011-2013 Biennium |             | 2013-2015 Biennium |             | 2015-2017 Biennium |             |
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| Townships        |                    |                    |                    |

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None anticipated.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

None anticipated.

**Name:** Kim Molesworth  
**Agency:** ND Game and Fish Dept  
**Telephone:** 328-6605  
**Date Prepared:** 01/22/2013



Date: 3-7-13  
Roll Call Vote #: 1

2013 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1354

Senate Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Murphy Seconded By Burckhard

| Senators          | Yes | No | Senators         | Yes | No |
|-------------------|-----|----|------------------|-----|----|
| Senator Lyson     | ✓   |    | Senator Triplett | ✓   |    |
| Senator Burckhard | ✓   |    | Senator Murphy   | ✓   |    |
| Senator Hogue     | ✓   |    |                  |     |    |
| Senator Laffen    | ✓   |    |                  |     |    |
| Senator Unruh     | ✓   |    |                  |     |    |
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|                   |     |    |                  |     |    |

Total (Yes) 7 No 0

Absent 0

Floor Assignment Murphy

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

**REPORT OF STANDING COMMITTEE**

**HB 1354, as engrossed: Natural Resources Committee (Sen. Lyson, Chairman)**  
recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
Engrossed HB 1354 was placed on the Fourteenth order on the calendar.

**2013 TESTIMONY**

**HB 1354**

TESTIMONY ON HB 1354

Good morning, I am Bill Schaller, Vice-President of the Injured Military Wildlife Project of ND (IMWP) and I will be testifying in favor of HB 1354. Two years ago HB 1415 gave the Wounded Warrior Project of ND four 'any' deer licenses to be utilized by our injured heroes. The license was good from the opener of youth deer season until the end of deer season.

HB 1354 would provide up to ten licenses, which our group feels we can handle now. We ask for a name change because after many months of phone calls, letters, and emails we finally found out that we could not use the Wounded Warrior name for any of our activities without turning over all of our fundraising efforts to them – only to have them disburse the funds as they see fit. In addition, many local supporters of our group have stated they would rather have their money stay in ND. We have a Board of Directors, By-Laws, and have incorporated. We hope to have our 501 c 3 non-profit status in the next couple of months. The final item this legislation addresses is the season. There was some question before as to the length of the season, but HB 1354 clears that up. I urge a "Do Pass" from the committee.

I will answer any questions at this time. If you have time, please view our web site at [www.injuredmilitarywildlife.com](http://www.injuredmilitarywildlife.com) Thank you.

01-31-13

From: North Dakota Wildlife Federation (Mike Donahue, Lobbyist #8) NDWF

To: House Energy and Natural Resources

NDWF is busy Friday 02-01-13 in the Senate this morning. So, some comments for your consideration on some bills you have this morning.

HB1336: We support. Concerning Paddlefish this establishes a lottery and raises license fees. We assume the Fiscal Note is insignificant.

HB1354: We are neutral. However, when the "Wounded Warrior Project" was first initiated we supported it. But, we also made a comment to others in attendance after the official hearing that essentially stated, "Watch, they will be back for more licenses and a longer season." The unofficial military term for that is "mission creep." We assume the Fiscal Note is insignificant.

HB1370: We support this POLICY for the Game and Fish Department license fee adjustments and management of the "Balance Amount."

HB1434: We are neutral. Be aware that Senate bill 2242 (being heard today) allows for 100% resident disabled veterans to obtain a free hunting and fishing license. Watch the Fiscal Note. Namely, reduced license sales reduce the federal reimbursement to the state. The state loses license dollars and federal dollars. Too, 100% disabled does not mean disabled agility. Examples: A friend from California comes nearly every year to North Dakota to hunt pheasants, geese, and sometimes deer. He is a former marine helicopter pilot in Vietnam and now has prostate cancer. His cancer is from "Presumed exposure to Agent Orange" in Vietnam and he is rated 100% disabled. A brother is a former marine infantry rated at 100% disabled. He hunts, fishes, golfs and is a champion pool shooter.

For information: The 100% disabled receives tax free approximately \$2,900/mo.

2

Personally, I am rated at 30% disabled and receive \$442/mo tax free.

Michael J. Donahue

Lobbyist #8

North Dakota Wildlife Federation

01-31-13

#1

## NORTH DAKOTA VETERANS COORDINATING COUNCIL

My name is John Jacobsen. I am a member of the Legislative Committee of the North Dakota Veterans Coordinating Council. The Coordinating Council is made up of 15 members, 3 from each of the five veterans' organizations in North Dakota.

American Legion

AMVETS

Disabled American Veterans

Veterans of Foreign Wars

Vietnam Veterans of America

It is the policy of the Coordinating Council to support legislation that will benefit the welfare of the members of the Armed Forces. The committee **MUST** concur totally, that is all 15 members must agree on the legislation to be supported or else it does not get the support.

In this case, I have been instructed to recommend to this legislative committee that a "DO PASS" on HB 1354 as amended is supported by the Veterans Coordinating Council.

*Submitted after the  
Hearing #2*

**Testimony**  
**House Bill No. 1354 – relating to special deer licenses**  
**Senate Natural Resources Committee**  
**Senator Lyson, Chairman**  
**March 7, 2013**

*Chairman Lyson, members of the Natural Resource Committee, for the record my name is Richard Marcellais, Senator from District 9, Rolette County.*

*House Bill 1354 would allow the issue of ten deer licenses annually to the Injured Military Wildlife Project of North Dakota for distribution. A license issued under this subsection is valid during the period of the deer bow season.*

*The Injured Military Wildlife Project (IMWP) of North Dakota is a group of citizens who provide hunting and fishing opportunities to our military personnel who have been injured in the line of duty. The Injured Military Wildlife Project is fashioned after the national Wounded Warrior Project and provides injured service members a chance to continue hunting and fishing as they once did before their injuries. The Injured Military Wildlife Project will assist by providing lodging, meals, a place to hunt, and actual assistance before, during and after the hunt.*

*Many injured vets no longer have the physical attributes nor can they make the connections necessary for a successful deer hunt. This is the less we can do to honor and empower our wounded warriors. The greatest casualty is being forgotten.*

*Thank you very much for the opportunity to appear in support of House Bill # 1354. I will try an answer any questions the committee may have.*